

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ROBERTA E. PAYNE, Complainant

vs.

BALDWIN L. PAYNE SR., Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ Respondent's 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 Roberta E. Payne is forever divorced from the said Baldwin L. Payne Sr. for and on account of Voluntary abandonment

~~It is further ordered, adjudged and decreed that the complainant be and she is hereby granted the right to resume her former name, Roberta E. Lawhon.~~

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 Roberta E/ Payne the Complainant pay the cost herein to be taxed, for which execution may issue.

This 29th day of July, 1952.

Jefair J. Madbury, 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. 2858 Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Roberta E. Payne

Complainant

vs.

Baldwin L. Payne Sr.

Respondent

DIVORCE DECREE

FILED
JUL 29 1952

CLERK OF DISTRICT COURT

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Jo Ann Flirt
Foley, Alabama.

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 _____

Roberta E. Payne and
Bessie Long, Foley, Ala.

as witnesses in behalf of Roberta E. Payne in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Roberta E. Payne

_____, Complainant
and Baldwin L. Payne Sr.

_____, Respondent

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

Witness 28th day of July, 1952

Darcy J. Luck
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 2858

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ROBERTA E. PAYNE

Complainant—

vs.

BALDWIN L. PAYNE SR.

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

JO ANN FLIRT

WITNESSES:

Roberta E. Payne
Bessie Long

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ROBERTA E. PAYNE Complainant

VS.

BALDWIN L. PAYNE Sr. Respondent

I, Jo Ann Flirt

as Register and Commissioner

have called and caused to come before me Roberta E. Payne and Bessie Long

witness as named in the Requirement for Oral Examination, on the 28 day of July, 1952
194 , at the office of Jo Ann Flirt
in Foley, Ala., Alabama, and having first sworn said Witness as to speak the
truth, the whole truth, and nothing but the truth, the said Roberta E. Payne and
Bessie Long doth depose and say as follows:

My name is Roberta E. Payne. I am over the age of twenty-one years and am and have been a resident of Baldwin County, Alabama for more than three years before bringing this suit for divorce. Baldwin L. Payne is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

Baldwin L. Payne and I was married at Pascagoula Mississippi on September 3, 1950. We only lived together about nine months. I have a boy about fourteen by a previous marriage and besides a grown son who is in service he has a son who is about eight years old. The boys did not get along together very well and he did not want me to correct his son and always blamed my son for the trouble. Baldwin drank quite a bit and just absolutely hated anything that looked like physical work, so because of these things we progressively argued oftener and more heatedly. On the first day of the Month in June of last year, 1951, we had considerable bills to pay and not enough money to pay them with. We had a pretty rough argument about almost everything and he said that he had enough and that he was taking his boy and their things and go. I and only tried to get him to see that he was going to have to quit drinking and work and that I couldn't make enough by myself to support all of us. I say that he left of his own free will and accord and without fault on my part. We ~~are~~ have not lived together or in any way recognized each other as husband or wife since that day, and he has not in any way contributed to my support.

Roberta E Payne

My name is Bessie Long. I am a resident of Foley, Alabama. I have known Roberta E. Payne for several years. I do not remember exactly. I was a very close neighbor of hers last year when she and Mr. Payne was living together. I know that they had quite a few arguments about his drinking and not working. I remember that sometime around the first part of last June that Mr. Payne left with his son, and that he has not lived with her since that time to my knowledge and from what I know of him I do not believe that he has contributed ~~to~~ to her support.

Bessie Long

ORAL EXAMINATION.

I, Jo Ann Flirt, as Register and Commissioner hereby certify that the foregoing depositions 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 _____

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 28 day of July, 1942

Jo Ann Flirt (L. S.)

NO 2858

PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

ROBERTA E PAYNE

vs. Complainant

BALDWIN L. PAYNE SR.

Respondent.

Oral Deposition

Filed _____, 194

Register.

Recorded in 1052

Record

Vol. _____ Page _____

Register.

ROBERTA E. PAYNE)
Complainant)
Vs.)
BALDWIN L. PAYNE SR.)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA: IN EQUITY SITTING:


Your complainant respectfully represents and shows unto your Honor:

1. That the complainant is over the age of twenty-one years and is a resident of Baldwin County, Alabama and has been a bona fide resident of said state for more than two years next preceding the filing of this bill of complaint; that Baldwin L. Payne Sr. is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

2. That your complainant and respondent were lawfully married on or about September 3, 1950 at Pascougla, Mississippi.

3. Complainant further avers that said respondent voluntarily abandoned the bed and board of the complainant for more than one year next preceding the filing of this bill of complaint, since which time complainant and respondent have not lived together nor in anyway recognized each other as husband and wife.

The premises considered, your complainant makes the said Baldwin L. Payne a party respondent to this bill of complaint, and in order that complainant may have the relief herein prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said Baldwin L. Payne, Sr., commanding him to plead, answer or demur to this bill of complaint, within the time required by law: and that on a final hearing of this cause that you will enter a decree divorcing your complainant from the respondent, and granting the complainant the right to resume her former name, Roberta E. Lawhon; and that your honor will grant such other, further and different relief as unto your Honor may seem just and proper, and your complainant will ever pray.



Attorney for Complainant

720 2858

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

ROBERTA E. PAYNE
Complainant

vs.

BALDWIN L. PAYNE Sr.
Respondent

BILL OF COMPLAINT

FILED

JUL 28 1952

ALICE I. BOCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALA.

ROBERTA E. PAYNE)
Complainant)

VS.

BALDWIN E. PAYNE S.)
Respondent)


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Now comes the respondent Baldwin E. Payne, and for answer to the bill of complaint herein says as follows:


1. He denies each and every material allegation contained in said bill of complaint and demands strict proof of the same.
2. The respondent hereby waives notice of the taking of testimony in this cause, notice of submitting said cause for final decree, and such other, further or different notice to which he might otherwise be entitled.



Witness



Witness



Respondent

7202858 RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ROBERTA E. PAYNE
Complainant

vs.

BALDWIN L. PAYNE SR.
Respondent

Answer and Waiver

FILED

JUL 28 1952

ALICE J. DUCK, Register

ROBERTA E. PAYNE

vs.

BALDWIN L. PAYNE

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 OF RESPONDENT~~, , commission to the depositions,
oral depositions of compleinant's witnessess

and in behalf of Defendant upon _____

Archie A. ...
Register

Arthur C. ...
attorney for Plaintiff ~~Register~~

No. 2858

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ROBERTA E. PAYNE

vs.

BALDWIN L. PAYNE SR.

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

FILED

JUL 28 1952

Register.

Printed By The Baldwin Times

ALICE J. DUCK, Register