

DIVORCE DECREE

PRINTED BY MOORE PTC. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CHARLES G. PAYNE, Jr.

Complainant

vs.

RITA IRENE PAYNE

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 Charles G. Payne, Jr.

Rita Irene Payne is forever divorced from the said Rita Irene Payne 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 payment of the cost of this suit.

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

This 7 day of July, 1955.

J. Hubert M. Jones
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

Charles G. Payne, Jr.

Complainant

vs.

Rita Irene Payne

Respondent

DIVORCE DECREE

FILED

JUL 7 1955

ALICE J. DUCK, Register

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Charles G. Payne, Jr.

Complainant

VS.

Rita Irene Payne

Respondent

I, Captain Ervin W. Dickson

as Register and Commissioner

have called and caused to come before me Charles G. Payne, Jr. and Arthur Waterman

witnesses named in the Requirement for Oral Examination, on the 11th day of April

1955, at the office of Headquarters I.D.F., U. S. Army J A G C,

in Iceland, ~~xxxxxx~~, and having first sworn said Witness^{es} to speak the truth, the whole truth, and nothing but the truth, the said Charles G. Payne, Jr.

doth depose and say as follows:

I am 42 years of age and my wife, Rita Irene Payne, is 35. We married February 19th 1939 at Far Rockaway, New York. During the month of February, 1949, my wife left me without any reason that I can figure and she has never resumed living with me. I have not known her whereabouts nor her address since the year 1951. I became a resident of Baldwin County, Alabama, in August, 1950. Subsequently, I went to Iceland where I am now in the 1400 Air Inst. Squadron. I consider Baldwin County as still my residence and intend to return there when my service terminates.

Charles G. Payne, Jr.
Charles G. Payne, Jr.

And the said Arthur Waterman doth depose and say as follows:

I am a resident of Brewton, Alabama, and have been for about ten years. I became acquainted with Charles G. Payne, Jr. in the latter part of 1950. I know that he has made his residence in Baldwin County since that time. I know, also, that he, apparently, has not lived with any woman since that time. I have never met his wife. I am, also, a member of the 1400 Air Inst. Squadron.

Arthur Waterman
Arthur Waterman

ORAL EXAMINATION

I, Captain Ervin W. Dickson, as Register and Commissioner hereby certify that the foregoing deposition~~s~~ 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 that I have been informed of the identity of said witness~~; 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 11th day of April, 1955.

Ervin W. Dickson (L. S.)
Captain Ervin W. Dickson, U. S. Army JAGC,
Hdq. I.D.F.

No. <u>2442</u>	Page <u>2</u>	
The State of Alabama		
Baldwin County.		
In Circuit Court, In Equity		
Complainant	vs.	Respondent
Oral Deposition		
Filed <u>11</u> , 19 <u>55</u>	Register	
FILED		
APR 22 RECORDED IN		
ALICE J. DICK, Register		
Vol. <u> </u>	Page <u> </u>	Record
Register		

HEADQUARTERS
ICELAND DEFENSE FORCE
APO 81, NEW YORK, NEW YORK

OFFICE OF THE STAFF JUDGE ADVOCATE

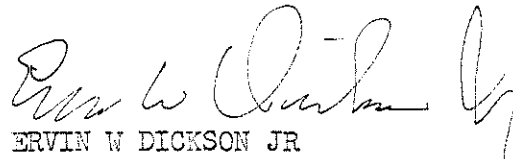
11 April 1955

Register
Circuit Court of Baldwin County
Bay Minette, Alabama

Dear Sir:

Enclosed herewith is the Commission to Take Depositions and the Oral Depositions of Charles G. Payne, Jr., and Arthur Waterman, which were taken on 11 April 1955.

Sincerely yours,



ERVIN W DICKSON JR
Captain, JAGC
Assistant Staff Judge Advocate

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

CHARLES G. PAYNE, JR.

No. 3423

vs.

RITA IRENE PAYNE

The State of Alabama,

County.

Circuit Court, in Equity

This the 17th day of

December, 1945

In this cause it being made to appear to the Clerk of this Court by the affidavit of

E. A. Cramer

that the Defendant Rita Irene Payne

is a non-resident of the State of Alabama that her present whereabouts and Post Office address are unknown

and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~ ^{The Fairhope Courier}, a newspaper published in ~~Bay Minette, Alabama~~ ^{Fairhope, Alabama}, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Rita Irene Payne the said Defendant

to answer or demur to the Bill of Complaint in this cause by the 17th day of January 1945, or after thirty days therefrom a decree Pro Confesso may be taken against her

E. A. Cramer,
Solicitor For Complainant

[Signature]
Register

The Fairhope Courier



ESTABLISHED 1894

E. B. GASTON ESTATE, PUBLISHERS

TELEPHONE 5201

FAIRHOPE, ALABAMA

"On Mobile Bay"

This is to certify that the attached
legal notice appeared in The Fairhope Courier,
weekly
a newspaper published in the City of Fairhope,
County of Baldwin, State of Alabama on the
dates of December 23, 30, 1954 and January
6, 13, 1955.

James H. Crawford

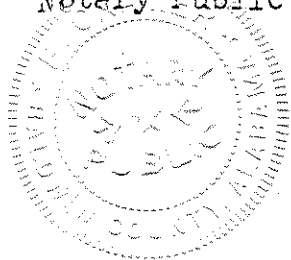
Editor

State of Alabama
County of Baldwin

Sworn to and subscribed this nineteenth day
of January, A. D., 1955, before me.

E. E. [Signature]

Notary Public, Baldwin County



No. _____

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

NOTE OF TESTIMONY

Filed in Open Court this 2nd

day of April 1943

Deicy J. Moore
Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Capt. Ervin W. Dickson, 069479

U.S. Army, JAGC ,

Hdq. I.D.F A.P.O 81

New York, N.Y.

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 Charles G. Payne, Jr and Arthur Waterman

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein CHARLES G. PAYNE, Jr.

and RITA IRENE PAYNE, Complainant

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

Witness 16th day of March, 1955

Alvin J. Smith
Register.

Commissioner's Fee, \$ None

Witness' Fees, \$ None

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Complainant _____

VS.

Defendant _____

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Coyt Ervin W. Dickson 068879

U.S. Army Hdq. IDF Apo 81247

WITNESSES:

Charles G. Payne Jr

Arthur Waterman

Charles G. Payne, Jr.

Complainant

vs.

Rita Irene Payne

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from Bay
Minette, in the County of Baldwin
Alabama, the place of trial of said cause, to-wit:

Charles G. Payne, Jr.

Arthur Waterman

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

Ed. Frank

Solicitor for Complainant

NOTE:

(Edg. I.D.F., APO, ⁸¹NY, N.Y.)

Complainant suggests the name of Capt. Ervin W. Dickson, 069479, U. S. Army JAGC, /
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Ed. Frank

Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

Complainant

VS.

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this

MAR 18 1955

194----

Register

Moore Printing Co.

8601. Motion For Decree Pro Confesso on Publication.

B.T.-10-46-200

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Charles G. Payne, Jr.

Complainant

Vs.

Rita Irene Payne

Defendant

Motion is hereby made for a Decree Pro Confesso against _____

Rita Irene Payne

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 18th day of February, 1955.

746 Code

E. G. Brown

Solicitor.

RECORDED

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Complainant _____

Vs.

Defendant _____

Motion for Decree Pro Confesso
On Publication

Filed _____, 19____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Charles G. Payne, Jr.
Complainant

vs

Rita Irene Payne
Respondent

Circuit Court

Baldwin County

Alabama

In Equity

To the Honorable Hubert M. Hall, Judge of said Court, sitting in Equity;

Comes Charles G. Payne, Jr. and exhibits this, his Bill of Complaint against Rita Irene Payne, and respectfully shows unto Your Honor as follows;

First: Complainant, whose age is 42 years, and Respondent, Rita Irene Payne, whose age is 35 years, intermarried February 19th 1939 at Far Rockaway, New York.

Second: On or about February 15th 1949 said Respondent did voluntarily abandon Complainant's bed and board and has continued said abandonment ever since with total neglect of the marital covenant on her part.

Third: Complainant has been a resident of Baldwin County, Alabama, for more than one year next preceding the filing of the within Bill of Complaint.

The premises considered, Complainant prays that said Rita Irene Payne be, by all due and appropriate process, made party Defendant to the within cause, that she be compelled to plead, answer or demur to the several paragraphs hereof within the time prescribed by law and that she be required to abide and obey all orders and decrees made in the premises.

Complainant further prays, upon a hearing of the within cause, that a decree be ordered and entered forever divorcing him from said Respondent and granting him such other, further, different and general relief as, in Equity, may seem meet and proper.

E. A. Cramer
Solicitor for Complainant

State of Alabama, Baldwin County,
Personally appeared E. A. Cramer, known to me, who, being duly sworn, doth depose and say that, upon all information and belief, said Rita Irene Payne is past the age of 21 years, that her present whereabouts and post office address are unknown.

E. A. Cramer

Subscribed and sworn to before me this 15 day of December, 1954.

L. C. Perkins
Notary Public, Baldwin County
Alabama

MPCO

Decree Pro Confesso of Publication.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Charles G. Payne, Jr.

Complainant

Vs.

Rita Irene Payne

Defendant

In this cause it appears to the Register _____ that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 23rd day of December, 1954, in the Fairhope Courier a newspaper published in Fairhope, Baldwin County, Alabama, that a copy of said order was posted at the Court House door in _____ County, on the _____ day of _____ 194____ and _____

And it now further appearing to the Register _____, that the said
Rita Irene Payne

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_____
that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Rita Irene Payne

This 2nd day of March 1955
Eric French Register.

RECORDED

No. 3423

Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Vs.

Decree Pro Confesso of Publication

Issued _____ 19____

Register.

Recorded in _____ Record

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Register.

Moore Printing Co., Bay Minette, Ala.

3423