

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

John Bercant, Complainant

vs.

Rose Bercant, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on 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 John Bercant is forever divorced from the said Rose Bercant for and on account of Voluntary 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 the payment of the cost of this suit.

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

This 8th day of May, 1950.

Julius J. Mashburn, Jr.  
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.

RECORDED

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

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

John Bercant

Complainant

vs.

Rose Bercant

Respondent

DIVORCE DECREE

FILED

MAY 9 1950

ALICE J. DUCK, Register

JOHN BERCANT

COMPLAINANT

VS.

ROSE BERCANT

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 that she and the Complainant are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age; that they married at Stockton, Alabama, in August, 1943, and lived together as husband and wife, in Stockton, Alabama, until in 1944.

She denies that she voluntarily abandoned the Complainant in 1944, and demands 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 notice.

Rose Bercant

STATE OF ALABAMA  
BALDWIN COUNTY

I, Bernice McMillon, a Notary Public, in and for said County, in said State, hereby certify that Rose Bercant, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 21 day of March, 1950.

Bernice McMillon  
Notary Public, Baldwin County, Alabama

RECORDED

JOHN BERCANT

COMPLAINANT

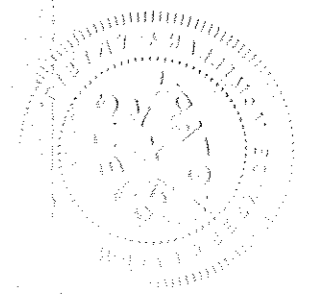
VS

ROSE BERCANT

RESPONDENT

ANSWER AND WAIVER

*Filed 5-8-58  
Arlene A. Quack  
Register*



**THE STATE OF ALABAMA**  
Baldwin County.Circuit Court of Baldwin County, Alabama  
(In Equity)

John Bercant

Complainant

VS.

Rose Bercant

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me John Bercant and Johnny Burnett

witness named in the Requirement for Oral Examination, on the 6 day of May  
19450, at the office of Hubert M. Hall  
in Bay Minette, Alabama, and having first sworn said Witness to speak the  
truth, the whole truth, and nothing but the truth, the said John Bercant and Johnny  
Burnett doth depose and say as follows:

My name is John Bercant. I am a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age. The Respondent, Rose Bercant, is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Respondent and I married at Stockton in August, 1943. We lived together as husband and wife in Baldwin County, Alabama, until in 1944, when the Respondent voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time. The Respondent and I have not lived together as husband and wife since 1944.

John Bercant

Johnny Burnett, a witness for the Complainant, being first duly sworn, deposes and says:

My name is Johnny Burnett. I am personally acquainted with the Complainant and the Respondent Rose Burnett. I know that the Complainant and the Respondent have not lived together as husband and wife, since 1944.

Johnny Burnett

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

THE STATE OF ALABAMA

BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

John Bercant

vs. Complainant

Rose Bercant

Respondent.

## Oral Deposition

Filed 2-8, 1990

W. J. Quets, Register.

Recorded in

\_\_\_\_\_ Record

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

\_\_\_\_\_, Register.

ORAL EXAMINATION.

I, Evelyn Watts, 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 \_\_\_\_\_ and read over to them and they signed the same in the presence of myself and H. M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness \_\_\_\_\_ or had proom made before me 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 6 day of May, 1945

Evelyn Watts (L. S.)

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Evelyn Watts

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 John Bercant and Johnny Burnett

as witnesses in behalf of Complainant in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein John Bercant

and Rose Bercant, Complainant

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

Witness 8 day of May, 1940

*Alfred J. Smith*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

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

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

**CIRCUIT COURT**

John Bercant

Complainant

vs.

Rose Bercant

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

WITNESSES:

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon, Rosa Mae Bercant, 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 John Bercant, as Complainant and against Rosa Mae Bercant, as Respondent.

WITNESS my hand this 15<sup>th</sup> day of March, 1950.

David J. Masheurn Jr.  
Register

JOHN BERCAANT

COMPLAINANT

VS.

ROSA MAE BERCAANT

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO HON. TELFAIR J. MASHEURN JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, John Bercant, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your Complainant and the Respondent are both over twenty-one years of age, a bona fide residents of Baldwin County, Alabama.
2. That your Complainant and the Respondent married at Stockton, Alabama, in August 1943, and lived together as husband and wife until in 1944.
3. That in 1944, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

WHEREFORE, the premises considered your Complainant prays that your Honor will by proper process make the said Rosa Mae Bercant, party respondent, to this bill of complaint, requiring her 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.

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

James Lee  
Solicitor for the Complainant

Received in Sheriff's Office  
this 15 day of Apr-1950  
TAYLOR WILKINS, Sheriff

2455  
RECORDED

Summons  
served on of within Summons and  
Complaint on

Rose Mae Bercant

Taylor Wilkins Sheriff  
147 Half Deputy Sheriff

JOHN BERCANT

COMPLAINANT

vs.

ROSE MAE BERCANT Long Home

RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

SUMMONS AND COMPLAINT

FILED

APR 15 1950

ALICE J. DUCK, Register

John Bercant

vs.

Rose Bercant

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 testimony of John Bercant  
and Johnny Burnett*

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

*Alvin A. Allen*

Register.

RECORDED

No. ....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

John Bercant

vs.

Rose Bercant

NOTE OF TESTIMONY

Filed in Open Court this *8th*

day of *May*, 194*0*

*Alvin J. Duck*  
Register.

Printed by the Baldwin Times

2455