

2681

PEARL ALMA BERGA

COMPLAINANT

VS

PETE BERGA

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Comes the respondent in the above styled cause and answering complainant's bill of complaint says:

He admits the allegations of paragraphs one and two.

He denies the allegations of paragraph three and says that he has never at any time threatened and abused complainant or threatened to do actual violence to her person, he denies that he has threatened and abused the children of complainant and respondent; he denies that his conduct has been such as to cause complainant to have reasonable apprehension to believe that he would commit actual violence on her person, or on the person of their children; and further answering the allegations of the said paragraph, respondent says that he has at all times properly provided for complainant and the children of complainant and respondent and that he has been kind and considerate of them.

Answering the allegations of paragraph four of complainant's bill of complaint he admits that he and the complainant are the parents of the children named therein and that their ages are correctly stated therein; he admits that the said children are now with complainant and that she is a suitable and proper person to have care and control of them. But he says that complainant voluntarily and without cause left her home and took the children with her; that the proper place for her and for the said children is in the home provided for them by the respondent.

Answering the allegations of paragraph five respondent denies that he has \$12,000.00 in cash, he denies that his real property

is worth \$20,000.00, he denies that his farm equipment, automobile and tractors are worth \$10,000.00; further answering the allegations thereof he says that he has considerably less than \$12,000.00 in cash, that his real property is worth considerably less than \$20,000.00 and that his farm equipment, automobile and tractor is worth less than \$10,000.00, that the value of his real property, farm equipment, automobile and tractor is worth less than one-half that alleged by complainant; that he owes more than \$5,000.00; that he has no income save the income produced by him on his said farm lands; further answering the allegations of the said paragraph respondent says that the complainant in her own right owns farm land and equipment and that the same was given to her by this respondent and that the same is of value of approximately the same as that now owned by him; he further says that a short while back this respondent gave the complainant \$4,000.00 in cash, which she has or ought to have, that within the last few days she withdrew from the respondent's checking account the sum of \$1,000.00 which she has or ought to have, that complainant in her own right has or ought to have fully as much cash or more cash than the respondent and that her farm lands and equipment are worth as much or more than the farm lands and equipment of the respondent, all of which was given to her by this respondent.

And now having fully answered respondent prays that he may go hence with his reasonable costs in this behalf expended.


Solicitor for Respondent.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons PETE BERGA 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 PEARL ALMA BERGA, as Complainant and against Pete Berga as Respondent.

WITNESS, my hand this the 11th day of July, 1951.

Alvin J. Newell
Register

PEARL ALMA BERGA

COMPLAINANT

VS

PETE BERGA

RESPONDENT

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

TO HONORABLE TELFAIR J. WASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Complainant, Pearl Alma Berga, respectfully represents unto
your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one
years of age and bona fide residents of Baldwin County, Alabama.

2.

That your Complainant married on May 5, 1930, and lived together
in Baldwin County, Alabama, as husband and wife, until to-wit: June
30, 1951.

3.

That the Respondent on June 30, 1951, and on various occasions
prior thereto threatened and abused your Complainant and threatened to
do actual violence to her person which would necessarily endanger her
life and health; that the Respondent also threatened and abused the
children of the Complainant and the Respondent; that the conduct of
the Respondent was such as to give your Complainant every reasonable
apprehension to believe and she did actually believe that if she and
her children continued to live with him he would carry out his threats
and do actual violence to your Complainant, and their children, which

would necessarily endanger the life and health of your Complainant and their children.

4.

That there was born to the marriage between your Complainant and the Respondent four children, viz: Pete Berga, Jr., age 20; Vernon Berga age 18, Catherine Berga age 16, and and Virginia Berga, age 12; that all of said children are now living with their mother, the Complainant, who is the suitable, fit and proper person to have their custody, care and control.

5.

That the Respondent is a man of considerable wealth having approximately \$12,000.00 in cash, approximately \$20,000.00 in real property and \$10,000.00 in farm equipment, automobile and tractors.

WHEREFORE, the premises considered your Complainant prays that your Honor will by proper process make the said Pete Berga 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; that this court will order a reference to determine a reasonable amount to be paid by the Respondent to your Complainant as alimony pendente lite and also a reasonable attorneys fee to be paid to Hubert M. Hall as her attorney in prosecuting this suit.

Your Complainant prays that upon a final hearing hereof Your Honor will award to her an absolute divorce forever barring the bonds of matrimony existing between her and the Respondent; that she be awarded the custody of the four children, Pete Berga Jr., Vernon Berga, Catherine Berga, and Virginia Berga; that she be awarded such amount as to the court shall seem just and proper as permanent alimony; that she be awarded such other, further, different or general relief as she may be in Equity entitled to receive.



Solicitor for the Complainant

2681

RECORDED

Received in Sheriff's Office
this 12 day of July, 1951
TAYLOR WILKINS, Sheriff

Executed 7-13 1951
by serving copy of within Summons and
Complaint on

Pete Berga

Jay W. Wilkins Sheriff

By W. F. Hall Deputy Sheriff

PEARL ALMA BERGA

COMPLAINANT

VS

PETE BERGA

RESPONDENT

SUMMONS AND COMPLAINT

2681

FILED

JUL 11 1951

ALICE J. DUCK, Clerk *Regisler*

Received in Sheriff's Office
this 12 day of July, 1951
TAYLOR WILKINS, Sheriff

2681

RECORDED

PEARL ALMA BERGA

COMPLAINANT

VS

PETE BERGA

RESPONDENT

Executed 7-1-3 19 51
by serving copy of within Summons and
Complaint on

Pete Berga

Taylor Wilkins Sheriff

By W F Hall Deputy Sheriff

SUMMONS AND COMPLAINT

2681

FILED

JUL 11 1951

ALICE J. DUCK, Clerk *Regulation*