

DIVORCE DECREE

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

VIOLA D. BERNS, Complainant

vs.

ROBERT GEORGE BERNS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Service by Registered Mail 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

VIOLA D. BERNS is forever divorced from the said ROBERT GEORGE BERNS for and on account of Abandonment. Be it further ORDERED, ADJUDGED AND DECREED that the Complainant, Viola D. Berns, is hereby granted custody and control of the minor children of this marriage, namely, George Carl Berns and Michael Robert Berns, and that she is awarded the sum of Twenty-five Dollars (\$25.00) per month for the maintenance and support of each of the said minor children.

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 Viola D. Berns the Complainant pay the cost herein to be taxed, for which execution may issue.

This 11th day of February, 1951

Hubert M. Hall

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

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
JUL 2 1995
CLERK OF COURT



CITY COUNCIL

CITY OF CHICAGO

COUNCIL CHAMBER

SECOND FLOOR, CITY HALL

744-4000

March 31, 1969

Clerk of the Circuit Court
Baldwin County Alabama
Bay Minette, Alabama

Dear Sir:

As attorney for the estate of the late Robert G. Berns, it is necessary that I obtain a certified and exemplified copy of the divorce decree dissolving the bonds of matrimony between Robert G. Berns and Viola D. Berns.

The said decree was issued by your court on February 4, 1955. If you would be so kind as to forward this decree to me, I will send you a check to cover any expenses incurred by your office in connection with this matter.

Thanking you for your help, I remain,

Yours truly,

Edward M. Burke
ALDERMAN EDWARD M. BURKE

done
4-4-69
Bill for 3.00

CECIL G. CHASON

ATTORNEY AT LAW

FOLEY, ALABAMA

October 5, 1954

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Bill of Complaint for divorce of
Viola D. Berns -vs- Robert George Berns.

Yours very truly,


C. G. Chason

CGC:fm

encls. 2

DR. CARL A. HEDBERG
2051 SEDGWICK STREET
CHICAGO 14, ILLINOIS

October 27, 1954.

TO WHOM THIS MAY CONCERN:

This is to certify that Mr. Robert Berns of 1335 Rosedale Avenue, Chicago, has been under my treatment since August 1954, suffering from psoriasis and severe chronic arthritis.

This patient is unable to work at the present time and his disability is indefinite.

Very respectfully,

C. A. Hedberg, M.D.
C. A. Hedberg, M.D.

CAH:HN

JOHN J. ENRIGHT
ATTORNEY AT LAW
III WEST WASHINGTON STREET
CHICAGO 2
TELEPHONE FRANKLIN 2-8588

November 16, 1954

Hon. H. M. Hall, Judge
Circuit Court of Baldwin County
Bay Minette, Alabama

Re: Viola D. Berns
vs. Robert George Berns
No. 3374

Dear Judge Hall:

I am writing this letter to you as a personal, not professional, favor to the defendant, Robert George Berns.

Mr. Berns is a totally disabled and unemployed veteran of World War II. He has turned over to me a copy of the summons and a copy of the complaint which have recently been served upon him. The copy of the summons does not have the name of the solicitor for complainant on it, and while the copy of the complaint does have his name thereon I am unable to read his signature, so I am writing to you.

Mr. Berns has been treated by the Veterans Administration West Side Hospital of Chicago for service connected disability and is presently under the care of Dr. Carl A. Hedberg, 2051 Sedgwick Street, Chicago 14, Illinois. I am enclosing herewith a statement just received from Dr. Hedberg, for your information. At the present time Mr. Berns is receiving compensation rated at approximately 70%, and because of his present condition, through our local veterans' organization we are intending to immediately apply for 100% disability compensation. Mr. Berns is bedridden and has been for many months last past, and is unable to take care of himself. In order to meet the medical expenses it is necessary for his aged father to contribute towards his support and maintenance. While I realize it is a father's duty and obligation to support and maintain his children, Mr. Berns is financially unable to do so at the present time, and from the records I have on hand it appears that his disability is indefinite.

Mr. Berns is without funds to employ an attorney to represent and defend him in the above entitled matter.

I have discussed the matter of the divorce action with Mr. Berns, and while Mr. Berns denies that he voluntarily abandoned

Hon. H. M. Hall
November 16, 1954
Page -2-

the bed and board of complainant, as charged, he does not wish to stop Mrs. Berns from seeking a divorce. However, if upon trial of the merits of the matter before your Honor, if your Honor sees fit to enter a decree of divorce in this case, Mr. Berns does not wish your Honor to order and direct him to pay a specific amount for the support and maintenance of the children, as he will be financially unable to comply with the terms of the decree.

I would appreciate if your Honor would give due consideration to the wishes of Mr. Berns and I would also appreciate hearing from you concerning this matter.

If there are any legal associations in your county which would undertake the representation of this disabled veteran without charge, as we have in Chicago, I would appreciate your turning this matter over to them.

Respectfully,


JOHN J. ENRIGHT

JJE:MH
Enc.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

VIOLA D. BERNES

Complainant

VS.

ROBERT GEORGE BERNES

Respondent

I, Frances G. Mallory

as Register and Commissioner in Chancery

have called and caused to come before me Viola D. Bernes and Claire Britton

witness es named in the Requirement for Oral Examination, on the 3rd day of February
19455, at the office of C. G. Chason

in Foley, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said Viola D. Bernes and
Claire Britton doth depose and say as follows:

Statement of Viola D. Bernes:

My name is Viola D. Bernes, I am over the age of twenty-one years and a bona fide resident citizen of Baldwin County, Alabama, having been such a resident for almost five (5) years. Robert George Bernes is over the age of twenty-one years and is a resident citizen of Chicago, Illinois. We were married on February 7, 1945, and lived together as man and wife until June 17, 1950, at which time he voluntarily abandoned my bed and board and since which time we have not lived together or in any way recognized each other as husband and wife. There was born of this marriage two (2) children, namely, George Carl Bernes, who is seven years of age, and Michael Robert Bernes, who is six years of age. They are in my care custody and control, and have been in my sole custody since the abandonment. I believe Robert George Bernes to be financially able to pay the sum of Twenty-five Dollars (\$25.00) per month for the support and maintenance of each of the minor children.

Signed: Viola D. Bernes

Statement of Clare Britton:

My name is Clare Britton. I am over the age of twenty-one years and a resident citizen of Baldwin County, Alabama. I am personally acquainted with Viola D. Bernes and Robert George Bernes. Both are over the age of twenty-one years. She has been a resident of Summerdale, Alabama, for approximately five (5) years. More than four (4) years ago Robert George Bernes voluntarily and with no cause abandoned the bed and board of Viola D. Bernes and they have not lived together as husband and wife or recognized each other as husband and wife since that time. There are two children of this marriage, namely, George Carl Bernes, who is seven years of age and Michael Robert Bernes, who is six years of age. They are and have been for the past four years in the sole care, custody and control of Viola D. Bernes.

Signed: Claire Britton

ORAL EXAMINATION.

I, Frances G. Mallory, 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 and C. G. Chason

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 3rd day of February, 194 55

Frances G. Mallory (R. S.)

NO. 3374 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

VIOLA D. BERNIS

vs. Complainant

ROBERT GEORGE BERNIS

Respondent.

Oral Deposition

Filed FEB 7, 194

Recorded in 1955, Register.

Alfred J. Beck, Register

Record

Vol. _____ Page _____

Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: FRANCES G. MALLORY

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 VIOLA D. BERNES AND CLAIRE BRITTON

as witnesses in behalf of Viola D. Berns in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Viola D. Berns

_____, Complainant
and Robert George Berns

_____, Respondent

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

Witness 3rd day of February, 1955

Wesley J. Berns
Register.

Commissioner's Fee, \$_____

Witness' Fees, \$_____

VIOLA D. BERNIS

vs.

ROBERT GEORGE BERNIS

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, _____
Motion for Decree Pro Confesso on service by Registered Mail, _____
Decree Pro Confesso on Service by Registered Mail and Testimony _____
of Viola D. Bernis and Claire Britton _____

and in behalf of Defendant upon _____

Robert Bernis
Solicitor for Complaint

George Bernis
Register.

8600 - Motion for Decree Pro Confesso After Service by Registered Mail.

B.T. 1-47-200

FILED
2-2-55
ALLI L. BOW, ASST. CLERK
COURT CLERK

The State of Alabama,
Baldwin County. }

No. 3374 CIRCUIT COURT, IN EQUITY.

VIOLA D. BERNIS

Complainant.....

Vs.

ROBERT GEORGE BERNIS

Defendant.....

Motion is hereby made for a Decree Pro Confesso against Robert George Bernis

Defendant.....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....., and that said summons was duly served by Registered Mail, according to law, and that said Defendant..... ha.S. failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 2nd day of February 1955.

FILED



Solicitor.

VIOLA D. BERNIS

vs.

ROBERT GEORGE BERNIS

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 7th day of October 1925, a copy of the Bill of Complaint filed in this cause was sent to

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 15th day of October 1925, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

Robert George Bernis Defendant

This the 2nd day of February 1925.

Reichmann Register.

FILED

2-2-55

J. BOCK, Register

SUMMONS

Form 1531-3

McQuiddy Printing Co., Nashville, Tenn.

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon _____ Robert George Berns _____

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State by _____
Viola D. Berns _____

against _____ Robert George Berns _____

Herein fail not. Due return make of this writ as the law directs.

Witness this _____ 7th _____ day of _____ October _____, 1951 _____

Defendant is entitled to a copy of the bill on application to the Register.) _____, Register.

Code 1923-6523-6529

VIOLA D. BERNs,

Complainant,

-vs-

ROBERT GEORGE BERNs,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

BOOK 016 PAGE 309

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:

Comes your Complainant, Viola D. Berns, and fil es this her Bill of Complaint for Divorce against Robert George Berns, and respectfully represents and shows unto your Honor:

1. That the Complainant is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama, having been such a bona fide resident citizen for more than one year next preceeding the filing of this Bill of Complaint; that Robert George Berns is over the age of twenty-one years and that he is a non-resident of the State of Alabama, his present address being 1335 Rosedale Avenue, Chicago, Illinois.

2. That the Complainant and Respondent were lawfully married on, to-wit, February 7, 1945.

3. Complainant further avers that said Respondent voluntarily abandoned the bed and board of Complainant more than four years next preceeding the filing of this Bill of Complaint, since which time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife.

4. Complainant further shows unto the Court that there has been born of this marriage two children, namely, George Carl, age seven, and Michael Robert, age 6, which said children are in the care, custoday and control of the Complainant. Complainant further alleges that the Respondent is financially able to pay the sum of Twenty-five Dollars (\$25.00) per month, per child, for the maintenance and support of the said minor children.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Robert

George Berns be made a party defendant to this cause by the usual process of this Honorable Court, by service by Registered Mail, requiring him to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause, that your Complainant be granted a divorce from the Respondent and that she be granted the care, custody and control of the minor children of this marriage, namely, George Carl and Michael Robert, and that she be awarded the sum of Twenty-five Dollars (\$25.00) per month, per child, for the support and maintenance of said minor children. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, different and general relief to which she may be entitled and as in duty bound, she will ever pray.

FILED

10-17-54

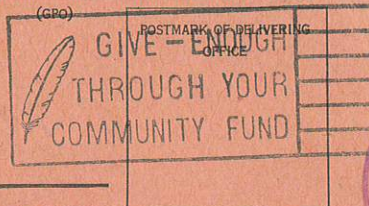
ALICE I. DUCK, Register


Solicitor for Complainant.

BOOK 016 PAGE 310

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Return to Archie J. Leuck, Register
(NAME OF SENDER)

Street and Number, } Box 239
or Post Office Box, }

REGISTERED ARTICLE

No. 361

INSURED PARCEL

No. _____

Post Office Bay Minette

State Ala.

16-12421

3374

RETURN RECEIPT

1 T. Berno
(Signature or name of addressee)

Date of delivery 10-12, 1954

U. S. GOVERNMENT PRINTING OFFICE 16-12421-2

RECEIPT FOR REGISTERED ARTICLE No. 361

Fee paid 30

10-8, 1954
(Date)

Class postage paid 1

Return receipt fee 07

Special delivery fee _____

Declared value, \$ none

Surcharge paid, \$ _____

Restricted delivery
(Accepting employee will place
initials in proper space)

in person 20

or order _____

Fee paid _____

From _____

(Street and number)

(Post office and State)

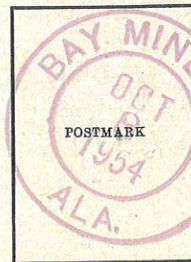
Addressed to _____

(Addressee)

(Street and number)

(Post office and State)

Postmaster, per _____



GPO 69-16-12666-5