

4091

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Beulah Mae Burkett

Complainant

vs.

Gardie H. Burkett

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 BEULAH MAE BURKETT is forever divorced from the said GARDIE H. BURKETT 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 payment of the cost of this suit.

It is further ordered that BEULAH MAE BURKETT the COMPLAINANT pay the cost herein to be taxed, for which executed may issue.

This 30 day of Sept 1957

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

OCT 1 1957

ALEX L. BUCK, CLERK

BEULAH MAE BURKETT)
Complainant)
VS.)
GARDIE H. BURKETT)
Respondent)

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
IN EQUITY

In this cause, it appearing to the register from the affidavit of the complainant, that the residence and post office address of the respondent, Gardie H. Burkett, are unknown and further that in the belief of said affiant, the respondent, Gardie H. Burkett is over the age of twenty-one years, it is therefore ordered by the Register that publication be made once a week for four consecutive weeks, in the Onlooker, a newspaper published in Baldwin County, Alabama, requiring the said Gardie H. Burkett to plead, answer or demur to the bill of complaint in this cause by the 26th day of August, 1957, or, in default thereof, thirty days thereafter a decree pro confesso may be taken against said respondent.

Done at office, this 24th day of July, 1957.

Alice J. Duck
REGISTER

Arthur C. Epperson, Attorney for complainant

4091

TO THE
COMMISSIONER
OF REVENUE
STATE OF NEW YORK

IN SENATE
JULY 25 1957

RECEIVED
JUL 25 1957
STATE DEPARTMENT OF REVENUE
ALBANY, N. Y.

FILED

JUL 25 1957

ALICE J. DUCK, Register

BEULAH MAE BURKETT)
Complainant)
VS.)
GARDIE H. BURKETT)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Before me, Arthur C. Epperson, a Notary Public,
~~of said county~~, personally appeared Beulah Mae Burkett, who
being first duly sworn, deposes and says that Gardie H.
Burkett, defendant in the above stated cause is a nonre-
sident of the State of Alabama, and that his place of re-
sidence is unknown, and that it can not be ascertained
after reasonable effort, and further, that in the belief
of said affiant the said defendant is over the age of
twenty-one years.

Beulah Mae Burkett

Sworn to and subscribed before me this the ~~24th~~
day of July, 1957

Arthur C. Epperson
NOTARY PUBLIC

4091

FILED

JUL 25 1957

ALICE J. DUCK, Register

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Faint vertical text, possibly a date or reference number.

1957 JUL 25 1957

BUELAH MAE BURKETT

vs.

GARDIE H. BURKETT

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

 Affidavit of Non-residence of Respondent, order of Publication
 Affidavit of Publication, Motion for decree pro confesso - Decree pro
 confesso, Appointment of Commissioner to take oral deposition -
 oral deposition of complainants witness.

and in behalf of Defendant upon _____

Arthur C. Johnson
 Solicitor for the Complainant

Archie J. Jones
 Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 30

day of Sept, 1957

Archie J. ...
Register.

Printed by the Baldwin Times

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

BEULAH MAE BURKETT

Complainant

VS.

GARDIE H. BURKETT

Respondent

Elizabeth Schneider

I,

as Register and Commissioner

have called and caused to come before me

Beulah Mae Burkett

witness ~~named~~ named in the Requirement for Oral Examination, on the 28 day of September

1957, at the office of Myself

in Foley, Ala., Alabama, and having first sworn said Witness to speak the

truth, the whole truth, and nothing but the truth, the said Beulah Mae Burkett

doth depose and say as follows:

My name is Beulah Mae Burkett. I am over the age of twenty-one years. I am a resident of Baldwin County, Alabama, and have been a bona fide resident of Baldwin County, Alabama, since 1952. Gardie H. Burkett is over the age of twenty-one years and I don't know where he is or what state he claims to be a resident of.

I was legally married to Gardie H. Burkett on September 30, 1954 at Portsmouth, Virginia. We do not have any children.

We lived together until after christmas in 1955. We did not get along together very well. He was lazy and high tempered. He could not hold a job very long and had several jobs during the time we lived together. About a year after we married he began drinking and when he left me he had become addicted to habitual drunkenness which had continued up to the time I last saw him. Gardie H. Burkett voluntarily abandoned me without fault on my part December 28, 1955, since which time I have not seen him or known where he was and we have not in anyway recognized each other as husband and wife.

I attempted by every means that I reasonable could to locate his whereabouts before and after I filed this suit for divorce, but I was not able to locate him.

Beulah Mae Burkett

ORAL EXAMINATION

I, Elizabeth Schnieder, as Register and Commissioner hereby certify that the foregoing deposition...on Oral Examination was taken down by me in writing in the words of the witness...and read over to her and she 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... or had prom 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 28 day of September, 1957

Elizabeth Schnieder (L. S.)

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No.	Page
The State of Alabama	
Baldwin County.	
In Circuit Court, In Equity	
Buelah Mae Burkett	
vs.	Complainant
Gardie H. Burkett	
	Respondent
Oral Deposition	
Filed <u>9-30</u> , 19 <u>57</u>	
<u>Elizabeth Schnieder</u> Register	
Recorded in	Record
Vol.	Page
	Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Elizabeth Schneider

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 Beulah Mae Burkett ~~xxxx~~

a witness in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein
BEULAH MAE BURKETT

and GARDIE H. BURKETT, Complainant

Respondent

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

Witness 28th day of September

, 195 7 .

Beulah Mae Burkett
Register.

Commissioner's Fee, \$

Witness' Fees, \$

BEULAH MAE BURKETT)
Complainant)
VS.)
GARDIE H. BURKETT)
Respondent)

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
IN EQUITY

In this cause, it appearing to the register from the affidavit of the complainant, that the residence and post office address of the respondent, Gardie H. Burkett, are unknown and further that in the belief of said affiant, the respondent, Gardie H. Burkett is over the age of twenty-one years, it is therefore ordered by the Register that publication be made once a week for four consecutive weeks, in the Onlooker, a newspaper published in Baldwin County, Alabama, requiring the said Gardie H. Burkett to plead, answer or demur to the bill of complaint in this cause by the 26th day of August, 1957, or, in default thereof, thirty days thereafter a decree pro confesso may be taken against said respondent.

Done at office, this 24th day of July, 1957.

Alice J. Duck
REGISTER

Arthur C. Epperson, Attorney for complainant

BEULAH MAE BURKETT)
Complainant)
VS.)
GARDIE H. BURKETT)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
CASE NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your complainant, Beulah Mae Burkett, respectfully represents and shows unto your Honor:

1. That 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 one year next preceding the filing of this bill of complaint; that Gardie H. Burkett, the respondent, is over the age of twenty-one years and whose residence and address is unknown to your complainant.

2. That your complainant and respondent were lawfully married on or about, to-wit: September 30, 1954, at Portsmouth, Virginia, and that there are no children of this union.

3. That your complainant further avers that said respondent voluntarily abandoned the bed and board of 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 any way recognized each other as husband and wife.

4. Your complainant further avers and alleges that the said respondent has, since her said marriage with him, become addicted to habitual drunkenness, and that said habit has continued to the filing of this bill.

The premises considered, your complainant makes the said Gardie H. Burkett a party respondent to this bill of complaint, and in order that complainant may have the relief herein prayed for, may it please your Honors to cause the State's writ of subpoena to be issued, directed to the said Gardie Burkett, commanding him to answer, plead or demur to the bill of complaint, within the time required by law; and that on a final hearing of this cause, that your Honors will enter a decree divorcing you complainant from said respondent, and that your Honors will grant such other, further and different relief as unto your Honors may seem just and proper, and your complainant will ever pray.


NOTARY PUBLIC

RESPONDENTS ADDRESS:

UNKNOWN.

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RECEIVED
 JUL 25 1957
 ALICE J. DUCK, Registrar

FILED
 JUL 25 1957
 ALICE J. DUCK, Registrar

No. _____ Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Complainant _____

Vs.

Defendant _____

**Motion for Decree Pro Confesso
On Publication**

Filed 9-27, 1957

Archie J. French
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

BEULAH MAE BURKETT _____ Complainant_____

Vs.

GARDIE H. BURKETT _____ Defendant_____

Motion is hereby made for a Decree Pro Confesso against GARDIE H. BURKETT

_____ 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 22⁷th day of September, 1957.

746 Code

Arthur C. Epperson _____ Solicitor.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

BEULAH MAE BURKETT

Complainant

Vs.

GARDIE H. BURKETT

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 25th day of JULY, 1957, in the ONLOOKER a newspaper published in Baldwin County, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 25th day of JULY 1957 and _____

And it now further appearing to the Register _____ that the said GARDIE H. BURKETT

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 GARDIE H. BURKETT

This 27th day of September 19 57

Alvin J. Newch Register.

BEULAH MAE BURKETT)
Complainant))
VS.)
GARDIE H. BURKETT)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your complainant, Beulah Mae Burkett, respectfully represents and shows unto your Honor:

1. That 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 one year next preceding the filing of this bill of complaint; that Gardie H. Burkett, the respondent, is over the age of twenty-one years and whose residence and address is unknown to your complainant.

2. That your complainant and respondent were lawfully married on or about, to-wit: September 30, 1954, at Portsmouth, Virginia, and that there are no children of this union.

3. That your complainant further avers that said respondent voluntarily abandoned the bed and board of 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 any way recognized each other as husband and wife.

4. Your complainant further avers and alleges that the said respondent has, since her said marriage with him, become addicted to habitual drunkenness, and that said habit has continued to the filing of this bill.

The premises considered, your complainant makes the said Gardie H. Burkett a party respondent to this bill of complaint, and in order that complainant may have the relief herein prayed for, may it please your Honors to cause the State's writ of subpoena to be issued, directed to the said Gardie Burkett, commanding him to answer, plead or demur to the bill of complaint, within the time required by law; and that on a final hearing of this cause, that your Honors will enter a decree divorcing you complainant from said respondent, and that your Honors will grant such other, further and different relief as unto your Honors may seem just and proper, and your complainant will ever pray.


NOTARY PUBLIC

RESPONDENTS ADDRESS:

UNKNOWN.

AMKMSOM

REGISTRATION ADDRESS:

MICHAEL BERNIC
[Signature]

1957 and before, and your contributions will have been
 interest and expenses, together with any other income and
 dependent, and that you have not received any other
 income with respect to these items and you certify that you
 own and that on a daily basis of this case. (This item
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 subject matter of the estate, which is to be
 of securities, and in order that you may have the
 the said estate. (This item refers to the gift of
 the estate. (This item refers to the gift of securities

which has contributed to the fund of this gift.
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 that the said dependent has since that time received the

each other as named and wife.
 respondent has not been included in any and any dependent
 of this gift of securities, which item is the subject of this
 contribution for the estate of the donor, which is the

ALICE J. BUCK, Register
 FILED
 JUL 25 1957

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CASE NO. _____
 IN THE ESTATE OF
 MICHAEL BERNIC, DECEASED
 IN THE ESTATE OF
 MICHAEL BERNIC, DECEASED

HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Allice J. Wueck, Registrar
Bayminette, Ala

BROUGHT FORWARD

July 25
July 1
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Beulah Mae Burkett
Complainant U.S.
Barbie H. Burkett
Respondent.

Burket
VS
Burket

FILED
AUG 26 1957
ALICE J. DUCK, Register

AFFIDAVIT OF PUBLICATION

I, E. M. Howell

Publisher of The Onlooker, published at
Foley, Ala., do solemnly swear that a copy of the above notice,
as per clipping attached, was published once each week in the
regular and entire edition of said newspaper, and not in any
supplement thereof, for 4 consecutive weeks, com-
mencing with the issue dated July 25, 1957, and
ending with the issue dated Aug. 15, 1957.

Subscribed and sworn to before me this 26 day
of August, 1957

MY COMMISSION EXPIRES JULY 15, 1959

Notary Public.

In the Circuit Court, Baldwin
County, Alabama, In Equity.
Beulah Mae Burkett, Complain-
ant vs. Gardie H. Burkett, Res-
pondent.
In this cause, it appearing to the
register from the affidavit of the
complainant, that the residence
and post office address of the re-
spondent, Gardie H. Burkett, is
unknown and further that in the
belief of said affiant, the resp-
ondent, Gardie H. Burkett is
the age of twenty-one years, and
therefore ordered by the Reg-
ister that publication be made one
week for four consecutive weeks
in the Onlooker, a newspaper pub-
lished in Baldwin County, Ala-
bama, requiring the said Gardie H.
Burkett to plead, answer or demur
to the bill of complaint in this
cause by the 26th day of August,
1957, or, in default thereof, thirty
days thereafter a decree pro con-
fesso may be taken against said
respondent.
Done at office, this 24th day of
July, 1957.
Alice J. Duck, Register.
Arthur C. Epperson, Attorney for
complainant.