

3465

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA\*\*GREETINGS:

You are hereby commanded to summon PETE BERGA SR., 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, in Equity, by PEARL ALMA BERGA.

Witness my hand this 9th day of February, 1955.

Deice J. ...  
REGISTRAR.

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PEARL ALMA BERGA  
Complainant  
  
vs  
  
PETE BERGA SR.  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
  
IN EQUITY.  
  
NO. 3465.

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

Comes your Complainant, Pearl Alma Berga, and shows unto this Honorable Court as follows:

1.

That she is over the age of 21 and a resident of Baldwin County, Alabama and has been more than ten years next preceeding and that the Respondent is over the age of 21 and is a resident of Baldwin County, Alabama.

2.

That your Complainant and the Respondent were lawfully married on or about May 5, 1931 in Baldwin County Alabama and has resided therein as husband and wife subsequent to said marriage.

3.

Your Complainant charges and avers that your Respondent did on to-wit February 7, 1955 and many times prior thereto assault, beat, hit and strike your Complainant and that he did pull her hair, twist her arm, choke her and otherwise commit actual violence on her person, attended with danger to her life or health; Complainant further avers and charges that the said Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health.

4.

That the said Respondent has assaulted and struck the children born as fruits of their marriage and that in attempting to provide such assault by the Respondent the life or health of your Complainant has been endangered.

5.

That at the time your Complainant and the Respondent were married the said Respondent had very little of this world's goods and that during the twenty-four years of married life your Complainant made a home for the Respondent; that she did the cooking, washing and ironing, that she worked in the fields and helped with the crops whenever needed and could be used.

6.

That at this time the said Respondent owns about 150 acres of valuable land in Baldwin County on which are situate two homes with barns available and pecan groves adjacent to each home and further that the said Respondent has a large bank account on deposit in the Saving Department in the First National Bank of Mobile, Alabama and a large checking account on deposit in the First National Bank of Mobile, Alabama.

7.

That your Complainant has no separate estate of her own and has no money with which to pay her Solicitor's fees; that she is without means of support during the pendency of this suit and that the Respondent is well able to provide for her support.

8.

That there has been accumulated by the parties to this cause, personal property, cattle, tractor and motor vehicle.

9.

That all of the estate owned by the Respondent was acquired or improved during their married life and was as much attributable to her efforts, labor and assistance as aforesaid as to his own; that without her assistance the said Respondent would not have accumulated the estate which he holds today; and that she is entitled to an undivided one-half interest in and to all of his real and personal property.

10.

That there was born as fruits of this marriage four children whose ages range from 23 years to 15 years, which children your Complainant bore for the Respondent, cared for, and reared during the years of their married life.

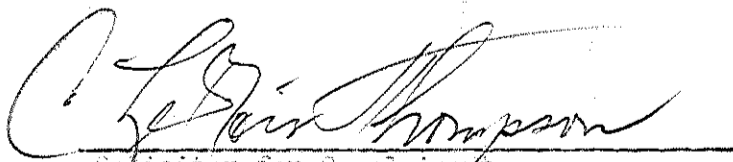
Wherefore these premises considered your Complainant prays that this

Honorable Court will make the said Pete Berge Sr., a party respondent to this cause and prays that the process of this court may be directed to him according to law, commanding him to appear in this cause within the time and in the manner required by law and by the rules of this Honorable Court, and plead, answer or demur to this her bill of complaint.

Your Complainant further prays that your Honor will order the register of this Court to hold a reference and to ascertain and report to this Court what will be a reasonable amount to be allowed to your petitioner during the pendency of this suit for her support and maintenance and for her Solicitor's fee.

Your Complainant further prays that your Honor will make and enter an order requiring the said Respondent to give an accounting to this Honorable Court and to your Complainant of all property, real, personal or mixed to which he may hold title or in which he may have or claim an interest, legal or equitable; to all monies, effects or choses in action in which he may have or claim an interest, legal or equitable, and where such property, real or personal may be found or is situated, and who has or who may claim possession thereof.

Your Complainant further prays that on a final hearing of this cause your Honor will make and enter a decree ordering that she is the owner of an undivided one-half interest in and to all real and personal property owned by the Respondent at the time the separation occurred; and further that your Honor will order the said Respondent to pay to your Complainant one-half of any sums which he may obtain for any oil or mineral lease rentals; and that your Honor will order him to pay a reasonable fee to her Solicitor in the premises; and that your Honor will make and enter a decree granting to her an absolute divorce from the said PETE BERGA, SR., and your Complainant prays for such other, further or general relief as she may, in equity and good conscience be entitled to receive, and, as in duty bound, she will ever pray.

  
Solicitor for Complainant.

Received 9 day of Feb 1955

and on 10 day of Feb 1955

I served a copy of the within

on \_\_\_\_\_

By service on Pete Brega Sr

TAYLOR WILKINS, JR.

By Edleigh Steadham, D.S.

MD 3465

PEARL ALMA BERGA

Complainant

vs

PETE BERGA SR.

Respondent

Summons and Complaint

**FILED**

**FEB 9 1955**

**ALICE J. DUCK, Register**

From the law offices of  
C. LeNoir Thompson  
Attorney-at-Law  
Fay Minette, Alabama