

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EDWARD G. BERAULT, Complainant

vs.

EPSIE MYRICK BERAULT, 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

EDWARD G. BERAULT is forever divorced from the said EPSIE MYRICK BERAULT for and on account of

Abandonment.

It is futher 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 futher 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 futher ordered that EDWARD G. BERAULT the Complainant pay the cost herein to be taxed, for which executed may issue.

This 6 day of April 1960

Robert M. Stone 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.

111

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

Faced
H-10-60

The State of Alabama,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY

No. _____ Term, 19__

EDWARD G. BERAULT Complainant

EPSIE MYRICK BERAULT Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the _____ day of _____, 1960, in the Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the _____ day of _____ 1960, and

And it now further appearing to the Register Alice J. Duck, that the said

EPSIE MYRICK BERAULT

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 Alice J. Duck _____ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said EPSIE MYRICK BERAULT

This 4th day of April 1960

Alice J. Duck Register.

No. -----

Page -----

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

EDWARD G. BERAULT

Vs.

EPSIE MYRICK BERAULT

Decree Pro Confesso of Publication

Issued 24-4 1960

Alice J. Whick
Register.

Recorded in ----- Record

Vol. ----- Page -----

Register.

EDWARD G. BERAULT,)	
Complainant,)	IN THE CIRCUIT COURT OF
-vs-)	BALDWIN COUNTY, ALABAMA
EPSIE MYRICK BERAULT,)	IN EQUITY
Respondent.)	

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

Comes your Complainant, Edward G. Berault, and files this his Bill of Complaint for divorce against Epsie Myrick Berault, 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 thirty (30) years next preceeding the filing of this Bill of Complaint; that Epsie Myrick Berault is over the age of twenty-one years, and is a non-resident of the State of Alabama, her address being unknown to your Complainant.

2. That the Complainant and Respondent were lawfully married, on, to-wit, approximately two years prior to the date of abandonment, said Respondent having abandoned the Complainant on December 1, 1943.

3. Complainant further avers that said Respondent voluntarily and with no cause abandoned the bed and board of the Complainant, more than one year 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.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Epsie Myrick Berault be made a party defendant to this cause by the usual process of this Honorable Court, requiring her 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. Should

your Complainant be mistaken in the relief prayed for, that there be granted to him such other, different, further and general relief to which he may be entitled and as in duty bound, he will ever pray.

FILED

JAN 22, 1960

ALICE J. DUCK, CLERK
REGISTER



Solicitor for Complainant

STATE OF ALABAMA

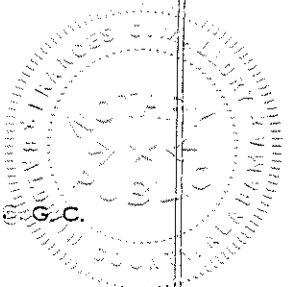
BALDWIN COUNTY

Before me, Frances G. Mallory, a Notary Public in and for said County in said State, personally appeared EDWARD G. BERAULT, who is known to me, and who, abert being by me first fully and legally sworn, deposes and says as follows:- That his name is Edward G. Berault; that he is over the age of twenty-one years and is a bona fide resident citizen of Perdido Beach, Baldwin County, Alabama, having been such a resident citizen since 1924; that he is the Complainant in an action for divorce filed in the Circuit Court of Baldwin County, Alabama, wherein Epsie Myrick Berault is the Respondent; that Epsie Myrick Berault is over the age of twenty-one years; that the Respondent is a non-resident of the State of Alabama, her address being unknown; that the Complainant has not heard from the Respondent directly since she left him in 1943, but at that time she was in Hattiesburgh, Mississippi, and said that she was going to Las Vegas; that he has been informed of the various places she has lived, such as New Orleans, Louisiana, Memphis, Tennessee, Salt Lake City, Utah, etc., through various acquaintances, but that he does not, nor does anyone he knows, know her Post Office Address, nor how to get in touch with her. That this affidavit is made for the purpose of obtaining an order from the Register in Chancery for Notice by Publication, as provided by the Laws and Statutes of the State of Alabama.

Edward G. Berault.
Complainant

Sworn to and subscribed before me,
on this the 15th day of January,
1960.

Frances G. Mallory
Notary Public, Baldwin County
State of Alabama



FILED

JAN 22, 1960

ALICE J. DUCK, CLERK,
REGISTER

136

EDWARD G. BERAULT,)	
)	
Complainant,)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
-vs-)	
)	IN EQUITY
EPSIE MYRICK BERAULT,)	
)	CASE NO. <u>4824</u>
Respondent.)	

LEGAL NOTICE

In this cause it appearing from affidavit that the Respondent, Epsie Myrick Berault, is over the age of twenty-one years, and is a non-resident of the State of Alabama; that his residence cannot be ascertained after reasonable inquiry.

It is therefore ordered that Epsie Myrick Berault plead, answer or demur to the allegations of the Bill of Complaint filed against him in this cause on or before the 25th day of February, 1960, or upon the expiration of thirty (30) days from said date the same will be taken as confessed against him.

It is further ordered that notice of this order be published once a week for four (4) consecutive weeks in the Onlooker, a newspaper published in Foley, Baldwin County, State of Alabama.

Alice J. Duck, Register

C. G. Chason
Solicitor for Complainant

FILED

JAN 22, 1960

ALICE J. DUCK, CLERK
REGISTER

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

EDWARD G. BERAULT COMPLAINANT

vs.

EPSIE MYRICK BERAULT RESPONDENT

I, Frances G. Mallory

as Register and Commissioner in Chancery

have called and caused to come before me Edward G. Berault and Howard E. Weinacker

witnesses named in the requirement for Oral Examination, on the _____ day of _____ 19 60 , at the office of C. G. Chason

in Foley, _____, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Edward G. Berault and

Howard E. Weinacker doth depose and say as follows:

TESTIMONY OF EDWARD G. BERAULT:

My name is Edward G. Berault. I am over the age of twenty-one years and a bona fide resident citizen of Baldwin County, Alabama, residing at Perdido Beach, having been such a resident citizen for more than 30 years. Epsie Myrick Berault is over the age of twenty-one years and she is not a resident of the State of Alabama, and her place of residence is unknown to me, although I have made diligent inquiry in an attempt to locate her. We were married in 1941 and on December 1, 1943, she voluntarily and with no cause, abandoned my bed and board, and we have not lived together nor recognized each other as husband and wife since that time. There are no children of this marriage.

Signed: Edward G. Berault

TESTIMONY OF HOWARD E. WEINACKER:

My name is Howard E. Weinacker. I am over the age of twenty-one years, and am personally acquainted with Edward G. Berault and Epsie Myrick Berault, having been acquainted with Edward G. Berault for more than 30 years, during which time he has been a resident citizen of Perdido Beach, in Baldwin County, Alabama. He and Epsie Myrick Berault were married in 1940 or 1941, and lived together until late in 1943, at which time she voluntarily and with no cause abandoned his bed and board, and they have not lived together as husband and wife since that time. I know that he has made numerous inquiries in an attempt to locate her, and has been unsuccessful, and believe her to be a non-resident of the State of Alabama. There are no children of this marriage.

Signed: Howard E. Weinacker

ORAL EXAMINATION

I, Frances G. Mallory as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me 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 proof 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

day of

, 1960 .

Frances G. Mallory

No.

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

EDWARD G. BERAULT

COMPLAINANT

vs.

EPSIE MYRICK BERAULT

RESPONDENT

ORAL DEPOSITION

FILED

Filed

APR 6 1960

ALICE J. DICK
CLERK, REGISTER
RECORDED IN

Register.

Record

Vol.

Page

Register.

EDWARD G. BERAULT

vs.

EPSIE MYRICK BERAULT

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, Affidvaoid of non-residency by Respondent, Service by Publication, Motion for Decree Pro Confesso on Service by Publication, Decree Pro Confesso on Service by Publication, and Testimony of Edward G. Berault and Howard E. Weinacker.

and in behalf of Defendant upon

[Handwritten signature]

Solicitor for Complainant

[Handwritten signature]

Register.

No. -----

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

EDWARD G. BERAULT

VS.

EPSIE MYRICK BERAULT

Note of Testimony

Filed in Open Court this -----

FILED

day of -----, 19-----

APR 6 1961

ALICE J. DUCK, CLERK Register.
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, as such time and place as you may appoint, to call before you and examine EDWARD G. BERAULT and HOWARD E. WEINACKER

a witness in behalf of EDWARD G. BERAULT in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

EDWARD G. BERAULT

, Complainant

and

EPSIE MYRICK BERAULT

Respondent

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

Witness 5 day of

April, 1956
Wm. J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

EDWARD G. BERAULT

VS. Complainant

EPSIE MYRICK BERAULT

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

EDWARD G. BERAULT,

Complainant,

-vs-

EPSIE MYRICK BERAULT,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO. 18/24

LEGAL NOTICE

In this cause it appearing from affidavit that the Respondent, Epsie Myrick Berault, is over the age of twenty-one years, and is a non-resident of the State of Alabama; that his residence cannot be ascertained after reasonable inquiry.

It is therefore ordered that Epsie Myrick Berault plead, answer or demur to the allegations of the Bill of Complaint filed against him in this cause on or before the 25th day of February, 1960, or upon the expiration of thirty (30) days from said date the same will be taken as confessed against him.

It is further ordered that notice of this order be published once a week for four (4) consecutive weeks in the Calooker, a newspaper published in Foley, Baldwin County, State of Alabama.

Alice J. Duck, Register

C. G. Chason
Solicitor for Complainant

EDWARD G. BERAULT,
Complainant,
-vs-
EPSIE MYRICK BERAULT,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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

Comes your Complainant, Edward G. Berault, and files this his Bill of Complaint for divorce against Epsie Myrick Berault, 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 thirty (30) years next preceeding the filing of this Bill of Complaint; that Epsie Myrick Berault is over the age of twenty-one years, and is a non-resident of the State of Alabama, her address being unknown to your Complainant.

2. That the Complainant and Respondent were lawfully married, on, to-wit, approximately two years prior to the date of abandonment, said Respondent having abandoned the Complainant on December 1, 1943.

3. Complainant further avers that said Respondent voluntarily and with no cause abandoned the bed and board of the Complainant, more than one year 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.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Epsie Myrick Berault be made a party defendant to this cause by the usual process of this Honorable Court, requiring her 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. Should

your Complainant be mistaken in the relief prayed for, that there be granted to him such other, different, further and general relief to which he may be entitled and as in duty bound, he will ever pray.



Solicitor for Complainant

RECEIVED

653, 180, 191, 192



((()))

IN EQUITY

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS

((()))

Complainant

EDWARD C. BROWN

vs.

Complainant

EDWARD C. BROWN

FILED FOR RECORD

BILL OF COMPLAINT

EDWARD G. BERVAULT,

Complainant,

--VS--

EPSIE MYRICK BERVAULT,

Respondent.

((()))

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

((()))

FILED

JAN. 22, 1960

MADEIRA, ALABAMA

your Complaint be mistaken in the relief prayed for, that there be granted to him such other, different, further and general relief to which he may be entitled and as in duty bound he will ever pray.

[Handwritten signature]
Solicitor for Complainant

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

April 5, 1960

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

Re: Berault -vs- Berault

Dear Mrs. Duck:

Enclosed herewith is Testimony of Edward G. Berault and Howard E. Weinacker, Commission to take Depositions, and Note of Testimony, along with Final Decree of Divorce.

On rendition of the Decree, please hold, but issue to me a Cost Bill, including a \$5.00 Commissioner's Fee, until such time as payment thereof has been made.

Yours very truly,



C. G. Chason

CGC:fm

encls. as noted.