

4082

DAISY BRADLEY,	¶	
Complainant,	¶	IN THE CIRCUIT COURT OF
vs.	¶	BALDWIN COUNTY, ALABAMA
BERT McCURDY	¶	IN EQUITY.
Respondent	¶	

TO THE HONORABLE HUBERT M. HALL, JUDGE OF SAID COURT, SITTING IN EQUITY:

Comes now your Complainant, Daisy Bradley, and respectfully represents and shows unto your Honor as follows:

That your Complainant is over the age of twenty-one years, is a resident of Baldwin County, Alabama, and has so resided for more than one year immediately preceding the filing of this bill of Complaint; that the Respondent, Bert McCurdy is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

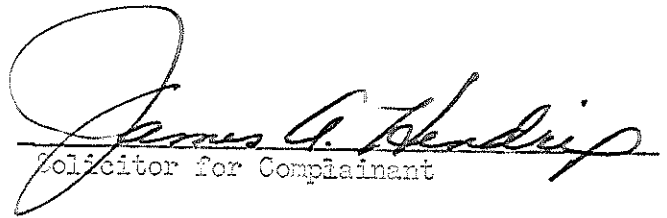
That on to-wit, the 8th day of June, 1957, in Lucedale, Mississippi, a marriage ceremony was performed purporting to unite the said Complainant, Daisy Bradley, and the said Respondent, Bert McCurdy in marriage.

That since their said purported marriage the said Daisy Bradley and Bert McCurdy have not lived together as husband and wife, nor have they in any way recognized each other as husband and wife.

Your Complainant further avers and shows unto your Honor that at the time said marriage ceremony was performed, the Respondent was incapable of entering into the marriage contract, in that said Respondent was a party to a prior existing marriage, upon which no decree of divorce had been granted. Your Complainant is informed and verily believes, that the said prior existing marriage was upon the aforesaid date, June 8, 1957, valid and outstanding. Your Complainant further shows and believes and avers that at the time the marriage contract was committed between your Complainant and Respondent, she did not know of the former marriage of Respondent; that her marriage was induced by the belief that it would be valid and legal.

Complainant further shows that since the date of the said purported marriage to Respondent she learned of the existence of said former marriage, since which time she has not lived with the Respondent as his wife, nor has she at any time since said purported marriage lived as his wife.

The premises considered, your Complainant makes the said Bert McGurdy party Respondent to this Bill of Complaint, and prays that service may be had upon him in the manner required by law, and that upon a hearing hereof your Complainant prays that this Honorable Court may annul and declare for naught the said purported marriage and may adjudge and decree that the said Daisy Bradley and Bert McGurdy are not legally married but that the said Complainant, Daisy Bradley is a single person, and your Complainant prays that she may have such other further or different relief as in Equity she may be entitled.


Solicitor for Complainant

DAISY BRADLEY,

Complainant,

vs.

BERT MCCURDY,

Respondent.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

ANSWER AND WAIVER

Comes now the Respondent, Bert McCurdy, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

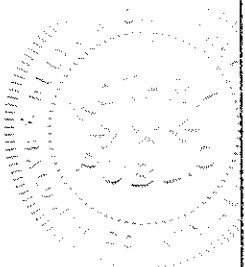
1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to her of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.

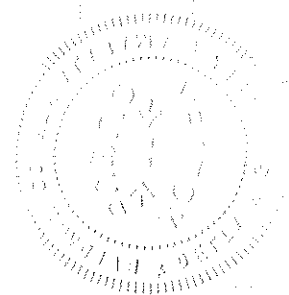
Bert McCurdy
Bert McCurdy

Sworn to and subscribed before me
on this 5 day of July, 1957.

Delta H. Gwaltney
Notary Public, Baldwin County, Alabama.



11082



FILED
JUL 11 1957
ALICE J. BUCK, Register

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Gertrude M. Bankester

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 Daisy Bradley

a witnesses in behalf of Daisy Bradley in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Daisy Bradley is

_____, Complainant
and Bert McCurdy is

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

Witness 5th day of July, 1957

Wingfield
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 4082

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Daisy Bradley

Complainant

VS.

Bert McCurdy

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Gertrude M. Bankester

FILED
WITNESSES:
JUL 11 1957

ALICE J. DUCK, Register

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

DAISY BRADLEY

COMPLAINANT

vs.

BERT McCURDY

RESPONDENT

I, GERTRUDE M. BAKER

as Register and Commissioner

have called and caused to come before me DAISY BRADLEY

witness named in the requirement for Oral Examination, on the 9th day of July

1957, at the office of James A. Hendrix

in Robertsdale, Alabama, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Daisy Bradley

doth depose and say as follows:

My name is Daisy Bradley; I am over twenty-one years old and have lived here in Baldwin County, Alabama, for more than the past year. Bert McCurdy is over twenty-one years old and lives at Summerdale, Alabama. On June 8, 1957 at Lucedale, Mississippi, Bert and I went through a marriage ceremony, at the time I thought that the marriage would be good; but I found out thereafter that Bert was already married and had a wife living in Summerdale, Alabama, Bert and I have never lived together as husband and wife and I started trying to get something done about it as soon as I found out that Bert was already married.

Daisy Bradley-

I, Gertrude M. Bankester 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_____ and read over to her and she signed the same in the presence of myself and James A. Hendrix at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness_____or had proof 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 5th day of July, 1957.

Gertrude M. Bankester (L. S.)

No. 4082Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed _____, 19____

FILED

JUL 11 1957

RECORDED

ALLI & WELLS, REGISTER

Register.

Record

Vol. _____Page _____

Register.

DAISY BRADLEY,	§	
Complainant,	§	IN THE CIRCUIT COURT OF
vs.	§	BALDWIN COUNTY, ALABAMA,
BERT McCURDY,	§	IN EQUITY
Respondent	§	

This cause coming on to be heard was submitted upon Bill of Complaint Answer and Waiver, 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, considered, ordered, adjudged and decreed by the Court that the purported marriage between the Complainant, Daisy Bradley, and the Respondent, Bert McCurdy, on the 8th day of June, 1957, at Lucedale, Mississippi, be and the same is hereby annulled, and declared for naught, and that the said Complainant, Daisy Bradley, and the said Respondent Bert McCurdy, be and they are hereby judicially ascertained to be not legally married to each other, but that the said Daisy Bradley is a single person.

It is further considered, ordered, adjudged and decreed by the Court that the Respondent pay the costs in this cause, for which let execution issue.

Done this the 11 day of July, 1957.

Hubert M. Hall

Judge, Circuit Court of Baldwin County, Ala.
Sitting in Equity.

I, ALICE J. DUCK, 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 official seal on this the _____ day of July, 1957.

Register, Circuit Court of Baldwin County, Ala.
In Equity.

4082

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

DAISY BRADLEY,

Complainant,

vs.

BERT McCURDY,

Respondent.

ANNULMENT DECREE

FILED

JUL 11 1957

ALICE L. DUCK, Registrar

Daisy Bradley

vs.

Dert McCurdy

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, _____
answer and waiver and testimony of Daisy Bradley as set out in the oral
deposition.

and in behalf of Defendant upon _____

James A. Hendrix

Register.

No. 4282

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Daisy Bradley

vs.

Bert McCurdy

NOTE OF TESTIMONY

Filed in Open Court this

day of JUL 11, 1945

ALICE L. JONES, Register.

Printed by the Baldwin Times