

4755

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Ruth S. Dearmon Hartley COMPLAINANT

vs.

Thomas Gardiner Hartley RESPONDENT

I, Evelyn Watts

as ~~Register and~~ Commissioner

have called and caused to come before me Ruth S. Dearmon Hartley and Mrs. Dwight Steele

witness es named in the requirement for Oral Examination, on the 30 day of Oct. 19 59, at the office of Wilters & Brantley

in Bay Minette, Alabama, and having first sworn said witness es to speak the truth, the whole truth, and nothing but the truth, the said Ruth S. Dearmon Hartley and Mrs. Dwight Steele doth depose and say as follows:

My name is Ruth S. Dearmon Hartley. I am the Complainant in the above styled cause. I was married to Thomas Gardiner Hartley in Foley Alabama, on the 3rd day of August, 1959. Before our marriage Thomas represented to me that he had a good job from which he received a substantial income and that he owned a one half interest in a filling station and that he was well able to furnish me with a comfortable livelihood. Soon after our marriage I discovered that Thomas was not making a substantial living and on and about September 3, 1959, I discovered that he did not own an interest in a filling station nor in any other business or property. Soon after our marriage I was forced to go to work in order to support myself. The income received by Thomas was not sufficient to support us. After I discovered that Thomas had misled me and had fraudulently induced me to marry him and I quit living with him as husband and wife and have not recognized him as such since that time.

Ruth S. Dearmon Hartley

My name is Mrs. Dwight Steele. I am the mother of Ruth S. Dearmon Hartley and I know that she married Thomas Gardiner Hartley on August 3, 1959, at Foley, Alabama, and that both are residents of Baldwin County, Alabama, and have been so for the past two years. I know that my daughter has had to work since soon after her marriage to Thomas.

Mrs. Dwight Steele

ORAL EXAMINATION

I, Evelyn Watts 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 Tolbert M. Brantley 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 30 day of October, 19 59.

Evelyn Watts (L. S.)

No. _____	Page _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
Ruth S. Dearmon Hartley	
COMPLAINANT	
vs.	
Thomas Gardner Hartley	
RESPONDENT	
ORAL DEPOSITION	
FILED	
OCT 30 1959	
MACE J. DUCK, Register, Register.	
RECORDED IN	
Record	
Vol. _____	Page _____
Register.	

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Ruth S. Dearmon Hartley

a witness in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Ruth S. Dearmon Hartley

, Complainant

and Thomas Gardiner Hartley

Respondent

on oath, to be by you administered, upon Ruth S. Dearmon Hartley and Mrs. Dwight Steele to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 30 day of Oct

, 1959

Allice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Ruth S. Dearmon Hartley

Complainant

VS.

Thomas Gardiner Hartley

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Ruth S. Dearmon Hartley

Mrs. Dwight Steele

Ruth S. Dearmon Hartley

THE STATE OF ALABAMA
Baldwin County

vs.

Thomas Gardiner Hartley

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
answer and waiver of respondent and testimony of Ruth S. Dearmon
Hartley and Mrs. Dwight Steele

Robert M. Bandy

and in behalf of Defendant upon

Alice J. Luck

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Ruth S. Dearmon Hartley

VS.

Thomas Gardiner Hartley

Note of Testimony

Filed in Open Court this

FILED

day of

OCT 30 1959

, 19

ALICE J. DUCK, Register

Register.

RUTH S. DEARMON HARTLEY)	
)	IN THE CIRCUIT COURT OF
COMPLAINANT)	BALDWIN COUNTY, ALABAMA,
VS)	IN EQUITY
THOMAS GARDINER HARTLEY)	
)	
RESPONDENT)	

DECREE ANNULING MARRIAGE

This cause being submitted for a final decree upon the Pleadings and proof as noted by the Register and this court being satisfied therefrom that the averments of the Bill of Complaint are true and that the Complainant is entitled to the relief prayed therein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the Court, that the purported marriage between Ruth S. Dearmon Hartley and Thomas Gardiner Hartley on the 3rd day of August, 1959, at Foley, Alabama, be and the same is hereby annulled because of fraud, and declared for nought, and that the said Ruth S. Dearmon Hartley and Thomas Gardiner Hartley be, and they are hereby judicially ascertained not to be legally married to each other, but to be single persons.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the Complainant pay the cost in this cause incurred, for which let execution issue.

Done this 2 day of November ~~October~~, 1959.

Robert M. Hill
Judge

4755 W

RUTH S. DEARMON HARTLEY
COMPLAINANT

VS

THOMAS GARDINER HARTLEY
RESPONDENT

DECREE ANNULING MARRIAGE

[Faint, mostly illegible text, likely the body of the legal decree or court proceedings.]

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon THOMAS GARDINER HARTLEY 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, Alabama, in Equity, by RUTH S. DEARMON HARTLEY as Complainant and against Thomas Gardiner Hartley.

Witness my hand this the 30 day of Oct, 1959.

Alvin J. Dusk
Register

RUTH S. DEARMON HARTLEY)	IN THE CIRCUIT COURT OF
COMPLAINANT)	BALDWIN COUNTY, ALABAMA,
VS)	IN EQUITY
THOMAS GARDINER HARTLEY)	
RESPONDENT)	

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

Comes now the Complainant in the above styled cause and shows unto Your Honor as follows:

1.

That the Complainant and Respondent are both over the age of 21 years and bona fide resident citizens of Baldwin County, Alabama, and have been for 2 years next preceding the filing of the bill of complaint.

2.

That the Complainant and Respondent were married to one another on August 3, 1959, at Foley, Alabama, and lived together as husband and wife until to-wit, the 3rd day of September, 1959.

3.

The Complainant further avers that she was induced to consent to said marriage by fraud and mis-representation in the following matters: That the Respondent lead your Complainant to believe he was well able to support her; that his salary and wages were sufficient to support her and that he had considerable property. In truth and fact the Respondent was

wholly unable to support her; that the amount of money he made was not sufficient to support her; that the Complainant was forced to work in order to support herself; that the Respondent owned no property of any kind and nature. Your Complainant further avers that the Respondent represented to the Complainant his prospects for an income and his wealth and position where in truth and fact these prospects were not and are not now in view.

WHEREFORE, the premises considered, your Complainant prays that the Respondent be made a party to this bill of complaint and that service be had on him in the manner required by law and upon a final hearing of this cause. Your Complainant prays that Your Honor will annul and declare for nought the said purported marriage and will decree that Ruth S. Dearmon Hartley and Thomas Gardiner Hartley are not legally married but are single persons and your Complainant prays for such other, further or different relief as in equity she may be entitled to receive.

Wilton & Brantley

BY:

Robert M. Brantley
Solicitors for the Complainant

FILED

OCT 30 1959

ANICE J. DUCK, Register

4752

RUTH S. DEARMON HARTLEY

COMPLAINANT

VS

THOMAS GARDINER HARTLEY

BILL OF COMPLAINT

FILED

OCT 30 1959

ANGIE J. DUCK, Register

RUTH S. DEARMON HARTLEY)

COMPLAINANT)

VS)

THOMAS GARDINER HARTLEY)

RESPONDENT)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Now comes the Respondent, in his own proper person, and admits the allegations contained in the bill of complaint filed in the above styled cause as to ages, residences, ^{and} marriage ~~and children~~, but denies all other allegations therein contained and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examined Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Thomas Gardiner Hartley

STATE OF ALABAMA
BALDWIN COUNTY

I, W. P. Buckner, a Notary Public, in and for said County, in said State, hereby certify that Thomas Gardiner Hartley, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 27th day of October, 1959.

W. P. Buckner
Notary Public, Baldwin County, Ala.
My Com. expires 11-3-59

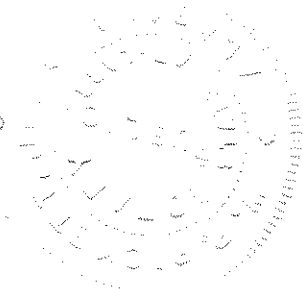
Be it further understood that this paper is signed by the respondent only for the use of annulment and in the event of a divorce proceeding this paper shall become null and void.

FILED

OCT 30 1959

ALICE J. DUCK, Register

T. Hartley



RUTH S. DEARMON HARTLEY

COMPLAINANT

VS

THOMAS GARDINER HARTLEY

RESPONDENT

ANSWER AND WAIVER

FILED

OCT 30 1959

ALICE J. DUCK, Register

