

1217

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

VIRGINIA M. GANN Complainant

VS

LATHANEUL S. GANN Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decrees Pro Confesso~~
~~or 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 ordered, adjudged and decreed by the Court that the bonds of matrimony here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,
and that the said VIRGINIA M. GANN
is forever divorced from the said

LATHANEUL S. GANN

for and on account of adultery.

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 both parties
be, and are hereby permitted to again contract marriage upon the payment of the cost of
this suit.

It is further ordered that LATHANEUL S. GANN
the Respondent pay the cost herein to be taxed, for which execution may issue.

This 25th day of October 1944.

[Signature]
Judge Circuit Court, in Equity.

I, ROBERT S. 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 seal this the _____ day
of October, 1944.

Register of Circuit Court, in Equity.

No. 1517 Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

..... VIRGINIA M. GANN

vs. Complainant.

..... LA PHANELL S. GANN

..... Respondent.

DIVORCE DECREE

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

Oct,

Term, 194 4

Virginia M Gann

No. 1217 vs.

Lethaniel S Gann.

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—	1 00	Summoning on Bill, Each Defendant.....	1.50
Docketing Cause, One fee only of.....	50	Executing Writ of Injunction, or Ne Exeat, each..	1.50
Issuing Summons on Bill, each.....	50*	Executing Subpoenas for Witnesses, each.....	.65
Issuing Copies, Thereof, each.....	40	Executing Writs of Possession, each.....	5.00
Entering Return of Same, each.....	15	Executing Scire Facias or Notice, each.....	1.50
Orders of Publication to Non-Residents, each.....	1.00*	Taking and Approving Bonds, each.....	1.00
Filing Bill or Other Paper, each.....	10	Impanelling Jury.....	.75
Copies of Same, Per 100 Words.....	15	Collecting Execution for Costs Only, each.....	1.50
Entering Appearances, each.....	25*	Sheriff's Commissions.....	:
Issuing Writs of Injunction, Ne Exeat, each.....	1.50		
Issuing Copies Thereof, each.....	50		
Entering Return of Same, each.....	15		
Decrees Pro Confesso, each.....	1.00*		
Order Appointing Guardian Ad Litem, each.....	1.00*		
Issuing Commissions to Take Testimony, each.....	50		
Taking Testimony, Per Day.....	1.50		
Taking Testimony, Per 100 words.....	20		
Receiving and Filing Depositions, each pkg.,.....	10		
Indorsing Depositions Published, each pkg.,.....	10		
All Entries on Commission Docket, Each Cause.....	50		
Entering Order Submitting Cases for Decree, each.....	50		
Other Orders of Court, each.....	25		
Noting Testimony on Hearing of Cause, each.....	50		
Entering Decrees, of 500 Words or Less, each.....	75		
Per 100 words over 500.....	15		
Taking Accounts, etc., on Ref., per Day.....	3.00*		
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	15		
Reference and Reports, each.....	2.00*		
Reports of 500 Words or Less.....	2.50		
Per 100 Words over 500.....	15		
Issuing Subpoenas for Witnesses, each.....	25		
Issuing Witness Certificates, each.....	25		
All Entries on Subpoena Docket, each Cause.....	50		
Taking and Approving, Bonds, each.....	1.00		
Making Complete Record, per 100 Words.....	15		
Hearing, etc., Regarding Appointment of Re- ceiver or Trustee.....	3.00		
Settlements with Receiver or Trustee, each.....	3.00		
Examining Vouchers in Settlements, each.....	10		
Examining Answers on Exceptions, each Answer.....	3.00		
Removal Disabilities on Non-Age.....	:		
Commissions on Sales.....	:		
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than That Arising from Sales.....	:		
Certificates or Affidavits, with Seal, each.....	50		
Certificates or Affidavits without Seal, each.....	25		
Issuing Scire Facias or other Notice, each.....	50		
Other Orders of Register, except Cont., each.....	50		
Entering Certificates of Supreme Court, each.....	50		
Transcript for Supreme Court, per 100 words, each.....	15		
Additional Copies, per 100 words.....	05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each.....	50		
Notice of Appeal, each.....	50		
Report to State Board of Health, each case.....	50		
Certificate of Judgment, each.....	25		
Issuing Executions, each.....	2 00		
Entering Returns Thereof, each.....	15		
	11 80		
Total Register's Fees.....			
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees.....	11 80
		Ex-Register's Fees.....	
		Sheriff's Fees.....	
		Ex-Sheriff's Fees.....	
		Witness Fees.....	5 00
		Commissioner's Fees.....	
		Guardian Ad Litem.....	
		Publisher's Fees.....	
		Solicitor's Fees.....	
		Court Reporter's Fees, Per Day or fraction thereof.....	3 00
		Trial Tax.....	3 00
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees.....	
		Sheriff's Fees.....	
		Witness Fees.....	
		Total Fees and Costs in Inferior Court.....	19 80
		Total Fees and Costs.....	
		Judgment.....	
		Total Fees, Costs, and Judgment.....	

I certify that the within is a true and correct Bill of Costs in the within styled cause,

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194_____

ATTEST: _____

Register Circuit Court, Baldwin County, Ala.

No. _____
Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

vs. _____
Plaintiff -----

Defendant -----

EQUITY COST BILL

Term, 19_____

Fee Book _____, Page _____

Plaintiff's Attorney.

Defendant's Attorney.

Virginia M Gann.

VS.

Lathamel. S Gann.

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, _____

and Testimony of Virginia M Gann. and William Lamar Stone.

and in behalf of Defendant upon Answer and Waiver,

R. B. Beck Register.

No. 1217

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Gamm

VS.

Gamm

NOTE OF TESTIMONY

Filed in Open Court this 27
day of Oct 1944

W. H. ...
Register.

VIRGINIA M. GANN
Complainant

E Q U I T Y

vs

IN THE CIRCUIT COURT OF

LATHANEUL S. GANN
Respondent.

BALDWIN COUNTY, ALABAMA.

Comes LATHANUEL S. GANN, Respondent in the above styled cause, and his answer to the bill of complaint says that he denies each and every allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony, of the time and place set for taking same and the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

X *L. S. Gann*
Respondent

Before me the undersigned Notary personally appeared LATHANEUL S. GANN, who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the ^{25th} ~~20~~ day of October, 1944.

Anna D. Stimpson
Notary Public, Baldwin County, Ala.
My Com. expires Mar. 20 1948.

VIRGINIA M. GANN,
Complainant.

vs

LATHANEUL S. GANN,
Respondent.

ANSWER & WAIVER.

Filed Oct 26 1944
[Signature]

VIRGINIA M. GANN
Complainant

E Q U I T Y

vs

CIRCUIT COURT OF

LATHANEUL S. GANN
Respondent.

BALDWIN COUNTY, ALABAMA

DEPOSITIONS OF VIRGINIA M. GANN and WILLIAM LAMAR STONE
WITNESSES FOR COMPLAINANT.

The said witnesses appearing at the time and place hereafter stated and being duly sworn upon examination by the solicitor for complainant testified as follows:

VIRGINIA M. GANN

I am the Complainant in this cause, I am over the age of twenty-one years and I am now living in New Orleans. I was married to L. S. Gann who is also over the age of twenty-one years but who has been living in Baldwin County for the past two years. Our married life has not been a happy one and I left him the ninth of last June and have been in New Orleans ever since. I have not seen him in this time. Since June we have been living separate and apart. I understand he has been unfaithful to me, but I know nothing to my own knowledge.

Virginia M. Gann

WILLIAM LAMAR STONE.

I live at Daphne and have known L.S. Gann for about two years. We work at the same place in Mobile . He and his wife are both over the age of twenty-one years and live in Baldwin county. That is he lives in Baldwin now but she left him about the middle of last summer and they have lived apart ever since.

Since they parted I have seen a good deal of Gann and know that he has been untrue to his wife. He and I have been out together with girls and while I have not seen anything with my own eyes, from what I know of the girls he has been with I know that he has committed adultery with at least one of them more than once. He and the girl would go off in the woods together and stay quite a while in the dark and from they things that they said both before and after I knew that they had been having a good time in the way that men and girls have under such circumstances. I know what he did for that is what we went off with the girls for. I therefore do not hesitate to say that Gann has committed adultery a number of times since the middle of June last.

W.L. Stone.

CERTIFICATE

I, Patricia F. Lord, acting as commissioner by agreement of parties hereby certify that in the case of VIRGINIA M. GANN and LATHANEUL S. GANN, pending on the Equity side of the Circuit Court of Baldwin County, I caused VIRGINIA M. GANN and WILLIAM LAMAR STONE, witnesses for the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn upon examination by the solicitor for the Complainant, they testified as is above written, and their testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the 20th day of October, 1944.

Patricia F. Lord

Commissioner.

1217

James
Jl.

James

James
Jl.
1944

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA; IN EQUITY.

Gomes VIRGINIA M. GANN, and by this her Bill of Complaint, presented against LATHANEUL S. GANN, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years, that Complainant now resides in the City of New Orleans but Defendant, L. S. Gann lives at Daphne in Baldwin County, Alabama, where he has resided for the past two years.

SECOND: That Complainant and Defendant were married at Mobile, Alabama, on August 9th, 1942, but have not lived together since June, last.

THIRD: That Complainant left Defendant last June and has since lived in New Orleans separate and apart from him.

FOURTH: Complainant charges Defendant with acts of adultery committed both prior to and since the date of separation aforesaid, but is unable to give of her own knowledge any of the times and places of the said acts though she is reliably informed and believes that same have been committed.

THE PREMISES CONSIDERED, Complainant prays that Lathaneul S. Gann be made party defendant to this cause, and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from said Lathaneul S. Gann, granting her the right to marry again should she so desire, to resume her former name and have such other, further or different relief as to equity may seem meet.

Elliot S. Rinsley
Solicitor for Complainant.