

(3434)

DIVORCE DECREE

PRINTED BY MOORE PPG. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

HOWARD GANEY, Complainant

vs.

MARGARET ANN GANEY, 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 Howard Ganey is forever divorced from the said Margaret Ann Ganey for and on account of voluntary abandonment

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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that Howard Ganey the complainant pay the cost herein to be taxed, for which executed may issue.

This 20 day of April, 1955

Hubert M. Hise

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.

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

**FILED**

APR 20 1955

ALICE J. DWCK, Register

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Howard Ganey

Complainant

VS.

Margaret Ann Ganey

Respondent

I, Madeline S. Bryars

as ~~Register and~~ Commissioner

have called and caused to come before me Howard Ganey and Henry Ganey

witnesses named in the Requirement for Oral Examination, on the 15 day of April

1955, at the office of Beebe & Swearingen

in Bay Minette, Alabama, and having first sworn said Witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Howard Ganey and Henry

Ganey doth depose and say as follows:

My name is Howard Ganey. I am over the age of 21 years. I am complainant in that certain cause pending in the Circuit Court of Baldwin County, Alabama, in equity, for divorce against Margaret Ann Ganey. Margaret Ann Ganey is over the age of 21 years. She is a resident of Lima, Ohio. I am a resident of Baldwin County, Alabama, where I have resided continuously since May, 1953. The defendant, Margaret Ann Ganey and I were married February 2, 1953 in Lima, Ohio, and lived together as husband and wife until May, 1953 when she voluntarily abandoned me in Bay Minette, without just cause or reasonable excuse. We have not lived together as husband and wife since. She has voluntarily remained away and refused to return to me.

Howard Ganey

My name is Henry Ganey. I am the father of Howard Ganey. He and Margaret Ann Ganey, his wife, are both over the age of twenty-one years. He was born and raised in Baldwin County, and has been a resident of Baldwin County continuously since 1953. They were married in Lima, Ohio in February, 1953 and lived together until she voluntarily abandoned him in May, 1953 and they have not lived together since.

Henry Ganey

ORAL EXAMINATION

I, Madeline S. Bryars, as Register and Commissioner hereby certify that the foregoing deposition S. on Oral Examination was taken down by me in writing in the words of the witness as and read over to them and they signed the same in the presence of myself W. C. Beebe and F. G. Swearingen

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness S. or had proom made before me of the identity of said witness as; 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 15 day of April, 1955.

Madeline S. Bryars (L. S.)

No. 3434

Page

The State of Alabama  
Baldwin County.

In Circuit Court, In Equity

HOWARD GANEY

vs. Complainant

MARGARET ANN GANEY

Respondent

**Oral Deposition**

Filed April 15, 1955

Lucie J. ...  
Recorded in Register

Record

Vol. \_\_\_\_\_

Page \_\_\_\_\_

Register

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

WE COMMAND YOU, that you summon, Margaret Ann Ganey, to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery jurisdiction, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by Howard Ganey against the said Margaret Ann Ganey and further to do and perform what said Judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESS, Alice J. Duck, Register of said Circuit Court, this the 20 day of Dec, 1954.

*Alice J. Duck*  
Register

HOWARD GANEY,  
Complainant,  
VS  
MARGARET ANN GANEY,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

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

And now comes your complainant, Howard Ganey, and humbly complaining against Margaret Ann Ganey, defendant, respectfully shows unto your Honor:

First: That your complainant and the said Margaret Ann Ganey, are each over the age of twenty-one years and your complainant is a resident of Baldwin County, Alabama; that the said Margaret Ann Ganey is a resident of Lima, Ohio, where she has resided since May, 1953; that your complainant and the said Margaret Ann Ganey resided in Baldwin County, Alabama, in May, 1953, and prior thereto; that your complainant has resided in Baldwin County, Alabama, continuously since.

Second: That your complainant and the said Margaret Ann

Ganey are husband and wife, having intermarried at Lima, Ohio, on February 2, 1953, and they lived together as husband and wife until May, 1953, when, in Bay Minette, Alabama, the said Margaret Ann Ganey voluntarily abandoned this complainant without just cause or reasonable excuse; that the said Margaret Ann Ganey and this complainant have not lived together as husband and wife for more than twelve months next preceding the filing of this bill of complaint;

WHEREFORE your complainant prays that this Honorable Court will take the jurisdiction of the cause made by this bill of complaint and make the said Margaret Ann Ganey party defendant hereto and by appropriate process require her to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between this complainant and the said defendant and complainant prays for such other, further or different relief as in equity and good conscience he shall be entitled to receive in the premises.

FILED

Dec. 30, 1954

ALICE J. WICK, Register

BEEBE & SWEARINGEN

BY F. L. Swearingen  
Solicitors for Complainant

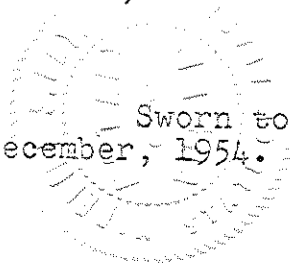
STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned Notary Public in and for said State and County, personally appeared F. G. Swearingen, who is known to me and who being by me duly sworn deposes and says that he is attorney for the complainant, Howard Ganey, in that certain cause pending in the Circuit Court of Baldwin County, Alabama, in equity, against Margaret Ann Ganey for divorce; that the said Margaret Ann Ganey and Howard Ganey are each over the age of 21 years; that he is informed and believes and upon such information and belief says that the said Margaret Ann Ganey is a non-resident of the State of Alabama and that her post office address and place of residence is Lima, Ohio.

F. L. Swearingen

Sworn to and subscribed before me this the 30 day of December, 1954.

Madeline S. Byars  
Notary Public, State of Ala. At large



The State of Alabama }  
Baldwin County }

Circuit Court

Equity

To Margaret Ann Gurney

Luna Ohio

You are hereby commanded to appear and plead, answer or demur, within thirty days from the service hereof, as provided by an Act of the Legislature of Alabama, approved September 25th, 1919, to a Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, against you, Defendant....., by Howard Gurney Complainant.....  
A copy of which Bill of Complaint is hereto attached.

Witness by hand, this 30 day of Dec 1954

August Duck  
Register

No.....

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CIRCUIT COURT OF BALDWIN COUNTY  
IN EQUITY  
BAY MINETTE, ALABAMA

VS.

NOTICE

Issued.....day of.....

195.....

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STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

WE COMMAND YOU, that you summon, Margaret Ann Ganey, to be and appear before the judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery jurisdiction, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by Howard Ganey against the said Margaret Ann Ganey and further to do and perform what said judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return the writ with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESS, Alice J. Duck, Register of said Circuit Court, this the 27 day of June, 1957

*Alice J. Duck*  
Register

HOWARD GANEY, Complainant,

VS

MARGARET ANN GANEY, Defendant.

Defendant.

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

And now comes your complainant, Howard Ganey, and humbly complaining against Margaret Ann Ganey, defendant, respectfully shows unto your Honor:

First: That your complainant and the said Margaret Ann Ganey, are each over the age of twenty-one years and your complainant is a resident of Baldwin County, Alabama; that the said Margaret Ann Ganey is a resident of Lima, Ohio, where she has resided since May, 1953; that your complainant and the said Margaret Ann Ganey resided in Baldwin County, Alabama, in May, 1953, and prior thereto; that your complainant has resided in Baldwin County, Alabama, continuously since.

Second: That your complainant and the said Margaret Ann

Ganey are husband and wife, having intermarried at Lima, Ohio,

on February 2, 1953, and they lived together as husband and wife

until May, 1953, when, in Bay Minette, Alabama, the said Margaret

Ann Ganey voluntarily abandoned this complainant without just

cause or reasonable excuse; that the said Margaret Ann Ganey and this

complainant have not lived together as husband and wife for more

than twelve months next preceding the filing of this bill of com-

plaint;

WHEREFORE your complainant prays that this Honorable Court

will take the jurisdiction of the cause made by this bill of com-

plaint and make the said Margaret Ann Ganey party defendant here-

to and by appropriate process require her to plead, answer or demur

to the same within the time and under the pains and penalties pre-

scribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of

this cause this Honorable Court will make and enter a decree for-

ever dissolving the bonds of matrimony existing between this com-

plainant and the said defendant and complainant prays for such

other, further or different relief as in equity and good conscience

he shall be entitled to receive in the premises.

BEER & SWEARINGEN

BY *[Signature]*  
Solicitors for Complainant

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned Notary Public in and for said State  
and County, personally appeared F. G. Swearingen, who is known to me  
and who being by me duly sworn deposes and says that he is attorney  
for the complainant, Howard Ganey, in that certain cause pending  
in the Circuit Court of Baldwin County, Alabama, in equity, against  
Margaret Ann Ganey for divorce; that the said Margaret Ann Ganey  
and Howard Ganey are each over the age of 21 years; that he is in-  
formed and believes and upon such information and belief says that  
the said Margaret Ann Ganey is a non-resident of the State of  
Alabama and that her post office address and place of residence  
is Lima, Ohio.

*[Signature]*

Sworn to and subscribed before me this the 30 day of  
December, 1954.

*[Signature]*  
Notary Public, State of Ala. at Large

*[Handwritten mark]*

Howard Ganey Complainant  
vs.  
Margaret Ann Ganey Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

No. 3434

**DEMAND FOR ORAL EXAMINATION**

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from Bay  
Minette, in the County of Baldwin, State of  
Alabama, the place of trial of said cause, to-wit: Howard Ganey, Stockton, Alabama,  
and Henry Ganey, Stockton, Alabama

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

BEEBE & SWEARINGEN  
BY F. G. Swearingen  
Solicitor for Complainant

NOTE:

Complainant suggests the name of Madeline S. Bryars  
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

BEEBE & SWEARINGEN  
BY F. G. Swearingen  
Solicitor for Complainant.

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DEMAND FOR ORAL EXAMINATION

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HOWARD GANEY

Complainant

vs.

MARGARET ANN GANEY

Respondent

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

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Filed this 15 day of April

1955

Archie L. Leuch Register  
Moore Printing Co.

Decree Pro Confesso of Publication.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 3434, Term, 1955

Howard Loney Complainant

Margaret Ann Loney Vs. Defendant

In this cause it appears to the Register \_\_\_\_\_ that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 3rd day of February, 1955, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in \_\_\_\_\_ County, on the \_\_\_\_\_ day of \_\_\_\_\_ 1955 and \_\_\_\_\_

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

Margaret Ann Loney  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 \_\_\_\_\_

that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Margaret Ann Loney

This 11<sup>th</sup> day of April, 1955  
Mrs. J. Duck Register.

No. 3434

Page \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Howard Gentry,  
Complainant

Vs.

Margaret Ann Gentry,  
Respondent

Decree Pro Confesso of Publication

Issued 4-11 1955

W. J. Gentry  
Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

8601. Motion for Decree Pro Confesso on Publication.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 3434 \_\_\_\_\_, Term, 1955

Howard Gandy \_\_\_\_\_ Complainant

Vs.

Margaret Ann Gandy \_\_\_\_\_ Defendant

Motion is hereby made for a Decree Pro Confesso against Margaret Ann Gandy \_\_\_\_\_ Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 11th day of April 1955

746 Code

Hubb & Spawring  
by F. S. Spawring \_\_\_\_\_ Solicitor.

No. 3434

Page \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

*Howard Sney*

Complainant \_\_\_\_\_

Vs.

*Margaret Ann Sney*

Defendant \_\_\_\_\_

Motion for Decree Pro Confesso  
on Publication

Filed 4-11 19 45

*W. J. ...*  
Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Madeline S. Bryans

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Howard Ganey and Henry Ganey

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Howard Ganey

Complainant  
and Margaret Ann Ganey

Respondent

on oath, to be by you administered, upon oral examination to take and certify the depositions of the witnesss and return the same to our Court, with all convenient speed, under your hand.

Witness 15 day of April, 1955

Alvin J. [Signature]  
Register.

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

No. 3434

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**

HOWARD GANEY

Complainant—

**vs.**

MARGARET ANN GANEY

Defendant—

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER

Madeline S. Bryars

WITNESSES:

Howard Ganey

Henry Ganey

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,  
Baldwin County.

} NO. 3434

TERM, 194

Howard Ganey

Complainant

VS.

Margaret Ann Ganey

Respondent

TO R. S. DUCK, REGISTER:

In the above stated cause a decree pro confesso on publication  
having been taken against Margaret Ann Ganey, the Respondent,  
and evidence having been taken, and the cause being ready for submission for final decree, and  
no defense having been interposed, the complainant, by Beebe & Swearingen,  
Solicitor<sup>s</sup> of record, now files with the Register of this Court this written request to deliver the  
papers in this cause to the Judge for final decree. ~~in vacation~~

Beebe & Swearingen  
F. D. Swearingen  
Solicitor<sup>s</sup> for Complainant

NO. 3434

HOWARD GANEY

Complainant—

VS.

MARGARET ANN GANEY

Respondent—

**Request For Decree In Vacation**

Filed \_\_\_\_\_, 194—

**FILED**

Register.

APR 20 1955

ALICE J. DACK, Register

Howard Ganey

Complainant

vs.

Margaret Ann Ganey

Defendant

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, \_\_\_\_\_

service by publication, decree pro confesso and testimony as  
noted by the Register,

and in behalf of Defendant upon decree pro confesso

BEEBE & SWEARINGEN

BY *J. B. Swearingen*  
Solicitor for Complainant

*Archie Innes*  
Register.

No. 3434

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

HOWARD GANEY

vs.

MARGARET ANN GANEY

NOTE OF TESTIMONY

Filed in Open Court this

day of

FILED

APR 20 1955

, 194

W. J. DICK, Register

Register.

Printed by the Baldwin Times



# THE BALDWIN TIMES

## BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER  
PUBLISHER

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
HOWARD GANEY,  
Complainant  
vs  
MARGARET ANN GANEY,  
Defendant

In this cause it being made to appear to the Clerk of this Court by the affidavit of F. G. Swearingen, Solicitor for Complainant, that the Defendant, Margaret Ann Ganev, is a non-resident of the State of Alabama, and whose present place of residence and post office address is unknown, and whose last known place of residence and post office address was Lima, Ohio, and further the Defendant is over the age of twenty-one years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Margaret Ann Ganev to answer or demur to the Bill of Complaint in this cause by the 5th day of March, 1955, or after thirty days therefrom a decree pro confesso may be taken against the said Margaret Ann Ganev.

ALICE J. DUCK  
Register.  
Beebe & Swearingen,  
Solicitors For Complainant

3-4tc

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
BALDWIN COUNTY.

E. R. Morrisette Jr., being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Howard Ganev vs.  
Margaret Ganev

#### COST STATEMENT

181 WORDS @ 6 1/2 cents 76 \$ 11

I hereby certify this it correct, due and unpaid (~~paid~~).

Editor Publisher.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Feb. 3, 1955 Vol. 66 No. 3

Date of 2nd publication Feb. 10, 1955 Vol. 66 No. 4

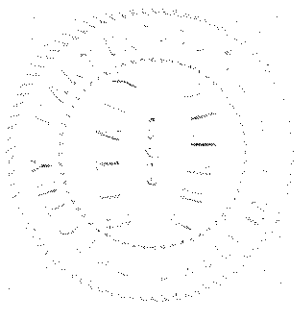
Date of 3rd publication Feb. 17, 1955 Vol. 66 No. 5

Date of 4th publication Feb. 24, 1955 Vol. 66 No. 6

Subscribed and sworn before the undersigned this 27 day of Feb, 1955

Dorothy Minton  
Notary Public, Baldwin County.

Editor Publisher.



HOWARD GANEY, *(Signature)* | IN THE CIRCUIT COURT OF  
 COMPLAINANT |  
 VS | BALDWIN COUNTY, ALABAMA,  
 MARGARET ANN GANEY, |  
 DEFENDANT | IN EQUITY *MD 3434*

In this cause it being made to appear to the Clerk of this Court by the affidavit of F. G. Swearingen, Solicitor for Complainant, that the Defendant, Margaret Ann Ganey, is a non-resident of the State of Alabama, and whose present place of residence and post-office address is unknown, and whose last known place of residence and post office address was Lima, Ohio, and further that the Defendant is over the age of twenty-one years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Margaret Ann Ganey to answer or demur to the Bill of Complaint in this cause by the 5th day of March, 1955, or after thirty days therefrom a decree pro confesso may be taken against the said Margaret Ann Ganey.

*(Signature)*  
 Register

Beebe & Swearingen,  
 Solicitors For Complainant