

1324

STATE OF ALABAMA,
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU that you summon EMORY 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 plead, answer or demur, without oath, to a bill of complaint lately exhibited by Gloria Marie Ganey, a minor, by, Raymond Burch, her father and next friend, against the said Emory Ganey, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit under penalty of the law. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Court, this the 19 day of April, 1945.

R. S. Duck
Register

GLORIA MARIE GANEY,
a minor, by, Raymond Burch,
her father and next friend,
COMPLAINANT,

VS.

EMORY GANEY,
RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

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

Your Complainant, Gloria Marie Ganey, a minor, by, Raymond Burch, her father and next friend, as Complainant, humbly complaining against the Respondent, Emory Ganey, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That she is a bona fide resident of Baldwin County, Alabama; that she is fourteen years of age; that the Respondent is a bona fide resident of Baldwin County, Alabama, forty-four years of age;

2.

That your Complainant and the Respondent went through a marriage ceremony at Brewton, Alabama, on February 6, 1945; that said marriage was never consummated and that the Complainant and the Respondent have not lived together as husband and wife, nor have they cohabited;


3.

That due to the immature age of the Complainant, she did not realize what she was doing.

WHEREFORE, the premises considered, Complainant prays that your Honor will by proper process make the said Emory Ganey party Respondent to this bill of complaint, requiring him to plead, answer, or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing hereof, your Honor will make and enter a decree, annulling and holding void the said marriage between the Complainant and the Respondent, and that the Complainant be forever released and discharged from any and all obligations and duties arriving from said marriage; Complainant prays for such other, further and general relief as she may be in equity and good conscience entitled to receive.

BEEBE & HALL

By: 
Solicitors for Complainant.

132 1/4

Rec in office
4/19/45
C. E. Garrett, Sheriff

Executed
4/20/45
by serving copy
on Emory Ganey
C. E. Garrett
Sheriff

GLORIA MARIE GANEY,
a minor, by, Raymond
Burch, her father and
next friend,
COMPLAINANT
VS.
EMORY GANEY
RESPONDENT

SUMMONS AND COMPLAINT

Filed
4-19-45
A. S. Duck
Register

RECORDED

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO Lillian Patterson

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 Gloria Marie Ganey, and Mary Stella Burch

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

Complainant
and Emory Ganey

Defendant,

on oath to be by you administered, upon Gloria Marie Ganey, and Mary Stella Burch

to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 28 day of April, 1945

Pro Se

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

NO. 1324

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant

vs.

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Gloria Marie Ganey, a minor, by Raymond Burch,
her father and next friend

Complainant

VS.

Emory Ganey

Respondent

I, Lillain Patterson

as Register and Commissioner

have called and caused to come before me Gloria Marie Ganey and Mary Burch

witness^{es} named in the Requirement for Oral Examination, on the 27 day of April
1945 at the office of Beebe & Hall
Bay Minette, Alabama, and having first sworn said Witness^{es} to speak the
truth, the whole truth, and nothing but the truth, the said Gloria Marie Ganey
doth depose and say as follows:

My name is Gloria Marie Ganey. I am a bona fide resident of Baldwin County, Alabama. I am thirteen years old, and will be fourteen my next birthday, which is August 7th, 1945.

Raymond Burch is my Father, He also lives in Baldwin County, Alabama.

The Respondent Emory Ganey is a bona fide resident of Baldwin County, Alabama, living at Bay Minette. He is forty-four years of age.

On February 6th, 1945 the Respondent persuaded me to go to Brewton, Alabama, with him, where we were married by the Probate Judge there. The Respondent told the Probate Judge there that I was old enough to get married and that it was all right with my parents.

Immediately after we were married I went to my parents, and am now living with them. The Respondent and I did not live together as man and wife. The Respondent has not supported me, and I have never considered or felt that I was married. I did not understand what I was doing. I have at all times depended on my parents for maintenance and support.

I have after considering what I have done realized my serious mistake. I have been too embarrassed to go back to school. I was attending the Bay Minette School at the time of the marriage, and in the seventh grade. I feel that if the marriage is set aside I can again return to school and go ahead and complete. I will not feel the embarrassment.

No cross-examination by H. E. Smith, Attorney for the Respondent.

Gloria Marie Ganey

Mary Burch, a witness for the Complainant, being first duly sworn, deposes and says: My name is Mary Burch. I live in Baldwin County, Alabama. I am the wife of Raymond Burch, and the Mother of Gloria Marie Ganey. She is now thirteen and will be fourteen years old on the 7th day of August, 1945. The Respondent Emory Ganey is a resident of Bay Minette, Alabama, forty-four years of age. The Respondent and our Daughter were married at Brewton, Alabama, on the 6th, day of February, 1945. They did not and have not lived together as husband and wife. The marriage between them was never consummated. My husband and I have delayed filing this proceeding until we were positively sure that our daughter was all right. Our child due to her immature age did not realize what she was doing, and has never fully realized the seriousness until recently. It has affected her so that she does not feel like again going to school and mingling with the children as she did before, however, when the marriage is annulled the matter will soon be forgotten and she can again join in with the young crowd that she has been brought un with.

No cross examination by H. E. Smith, Attorney for the Respondent.

Mary Stella Burch

ORAL EXAMINATION.

I, Lillian Patterson, 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^{es} and read over to them and they signed the same in the presence of myself and Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness^{es} or had proom 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 27th day of April, 1945.

Lillian Patterson (L. S.)

NO. 1334 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed 4-28, 1945
P. D. Hall, Register.

Recorded in _____ Record

Vol. _____ Page _____ Register.

1824

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

GLORIA MARIE GANEY, a minor
by, Raymond Burch, her father
and next friend,
Complainant.

VS.

EMORY GANEY,
Respondent.

June 4, 2045
[Signature]
ANSWER OF RESPONDENT

RECORDED

GLORIA MARIE GANEY, a minor,
by Raymond Burch, her Father
and next friend,

COMPLAINANT

vs.

EMORY GANEY

RESPONDENT

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, _____
Answer of the Respondent, and testimony of Gloria Marie Ganey, and

Mary Stella Burch.

and in behalf of Defendant upon _____



Register.

No. 1324

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 38
day of April 1995

REGISTER

GLORIA MARIE GANEY, a minor,
by Raymond Burch, her father
and next friend,
COMPLAINANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

VS.

IN EQUITY.

EMORY GANEY,
RESPONDENT.

This cause coming on to be heard is submitted upon the original bill of complaint, answer of the Respondent and testimony of Gloria Marie Ganey.

The Court, after understanding and considering the matter, is of the opinion that the Complainant is entitled to the relief prayed for.

It is further ordered, adjudged and decreed by the Court that the marriage between the Complainant and the Respondent be, and it is hereby annulled. *Gloria Marie Ganey is authorized to resume her maiden name of Burch -*

It is further ordered that the Respondent pay the cost hereof for which execution may issue.

Dated at Monroeville, Alabama, on this the 30th day of

April, 1945.

F. W. Hare
Judge

1324

GLORIA MARIE GANEY, a minor,
by Raymond Burch, her Father
and next friend,

COMPLAINANT

VS.

EMORY GANEY,

RESPONDENT.

FINAL DECREE