

4561

HAZEL L. KOEHLER,	I	
Complainant,	I	IN THE CIRCUIT COURT OF
vs.	I	
	I	BALDWIN COUNTY, ALABAMA
MARSHAL P. KOEHLER,	I	
Respondent.	I	IN EQUITY
	I	

Comes the Respondent in the above styled cause and demurs to the Bill of Complaint filed in said cause as follows:

1. As to that aspect of the Bill of Complaint set out in paragraph "1" in which the Complainant alleges that the Respondent is a non-resident citizen of the County of Baldwin, the Respondent demurs and assigns the following separate and several grounds, viz:

- (a) That said complaint does not allege where the Respondent resides.
- (b) For aught that appears from said allegations the Respondent is a resident citizen of the State of Alabama and should be sued in the County in which he resides.

2. As to that aspect of the Bill of Complaint as set out in paragraph "2" in which the Complainant alleges that the parties married on January 20, 1956, and lived together as husband and wife in Baldwin County, Alabama, until January 7, 1959, the Respondent demurs and assigns the following separate and several grounds, viz:

- (a) That said allegations do not show that the parties have lived in Baldwin County, Alabama, continuously since the date of their marriage.
- (b) That such allegations do not show that the parties were living together in Baldwin County, Alabama, on January 7, 1959.
- (c) That such allegations do not show where the parties lived when they separated.
- (d) For aught that appears from said allegations the parties to this suit are still living together as man and wife.

3. As to that aspect of the Bill of Complaint set out in paragraph "3" in which the Complainant alleges that the Respondent struck the Complainant on January 7, 1959, and on various other occasions prior thereto and threatened the Complainant, the Respon-

dent demurs and assigns the following separate and several grounds  
viz:

(a) That said Bill of Complaint does not allege where the  
acts of cruelty occurred.

(b) That the allegation as to previous cruelty is vague and  
indefinite and does not allege when and where such acts occurred.

(c) That said paragraph does not allege that the parties  
have ever separated.

(d) For aught that appears from this paragraph the parties  
are still living together as man and wife.

*filed Mar. 4, 1959*  
*Alice J. Lucke Reg.*

CHASON & STONE

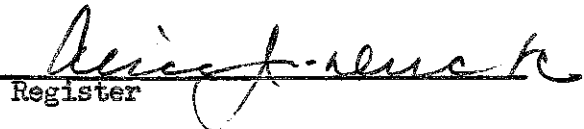
By: 

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons MARSHAL P. KOEHLER, to appear and plead, answer or demur within thirty days from the service hereof to the Bill of Complainant filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Hazel L. Koehler, as Complainant, and against Marshal P. Koehler, as Respondent.

WITNESS my hand this the 5 day of Feb, 1959.

  
Register

HAZEL L. KOEHLER

COMPLAINANT

VS

MARSHAL P. KOEHLER

RESPONDENT

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:

Comes now your Complainant and respectfully shows unto your Honor as follows:

1.

That your Complainant is a bona fide resident citizen of Baldwin County, Alabama and over the age of twenty-one years, that your Complainant has been a resident of Baldwin County, Alabama for more than one year next preceding the filing of this Bill of Complaint; that the Respondent is over the age of twenty-one years and is a non-resident citizen of the County of Baldwin.

2.

That your Complainant and the Respondent were married at Pascagoula, Mississippi, on January 20, 1956 and lived together as husband and wife in Baldwin County, Alabama, until on to-wit, January 7, 1959.

3.

That on, to-wit, January 7, 1959, and on various occasions prior thereto, the Respondent hit the Complainant about the face and body, and cursed, threatened and abused your Complainant and threatened to do actual violence to her person, which would necessarily endanger her life and

and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would carry out his threats which would necessarily endanger her life and health.

4.

That there were no children born to this marriage between your Complainant and Respondent and there is no property to be divided between them.

5.

The Complainant avers that the Respondent is an able-bodied man and is presently earning a substantial salary.

6.

That your Complainant avers that she is now sick and unable to work and has no income with which to support herself and pay for her doctor and medical bills.

7.

That the Complainant has employed the firm of Wilters and Brantley to represent her in this matter of divorce and has no means of paying them for their services.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Marshal P. Koehler party Respondent to this Bill of Complainant 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.

Your Complainant further prays that on a final hearing of this cause, Your Honor will enter a decree granting your Complainant a divorce from the Respondent and granting her the right to remarry; your Complainant further prays that your Honor will order the Respondent to pay to her support money for herself; your Complainant further prays that the Court will ascertain a reasonable attorneys fees to be paid to the firm of Wilters and Brantley for representing the Complainant in this cause and cause the Respondent to pay the same, together with the cost of this proceedings. Your Complainant further prays for such other, further or different relief to which the Complainant may in equity be entitled.

*Executed*  
*Feb. 13, 1959*

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Wilters and Brantley

by:

*Philip S. Nestor*  
Solicitors for the Complainant

CD 1423

4501

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*Hazel E. Koehler*

*13X sm*  
*1/2*  
*Marshall P. Koehler*

Received 5 day of Feb 1959

and on 13 day of Feb 1959

I served a copy of the within DOC

on Marshall P. Koehler

By service on Marshall P. Koehler

*Roy D. Budget* TAYLOR WILKINS, Sheriff

By L. Smith D. S.

RECEIVED

FEB 6 - 1959

SHERIFF'S OFFICE

FILED

FEB 5 1959

ALICE J. DUCK, Register