

The State of Alabama, }  
Baldwin County.

No. 841 1/2

Circuit Court, in Equity.

Edwin A. Ahler,

Complainant

vs.

Katherine Ahler,

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

..ON account of voluntary abandonment;

It further orderd, that the said Edwin A. Ahler, be, and he is hererby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Edwin A. Ahler, pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said

Katherine Ahler,

It is further ordered, adjudged and decreed that said Edwin A. Ahler, shall not again marry except to said Katherine Ahler, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Katherine Ahler

during the said pendency of appeal

This 31st day of

July 19230  
A. W. Ware

Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, }  
Baldwin County.

Circuit Court, in Equity.

I, \_\_\_\_\_ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_\_\_, in the cause of \_\_\_\_\_

Complainant.

vs.

Defendant.

as appears of record in said Court,

Witness my hand and the seal of said Court, this the \_\_\_\_\_

day of \_\_\_\_\_ 192\_\_\_\_

Register

EDWIN A. AHLER,  
Complainant,  
-vs-  
Katherine Ahler,  
Respondent.

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

BILL FOR DIVORCE.

To The Honorable F. W. Hare, Judge of the Circuit Court of Baldwin County, Alabama, in Chancery sitting:

Your Orator, Edwin A. Ahler, a resident of the county of Baldwin in this State, and over the age of twenty-one years, respectfully represents and exhibits this his Bill of Complaint against Katherine Ahler, a non-resident of the State of Alabama, who is also over the age of twenty-one years.

For complaint against said Respondent your Orator represents as follows:

- 1: That your Orator and said Respondent were legally married in Mobile, Alabama, on the 28th day of December, 1926.
- 2: That for more than three years last past your Orator has been a bona fide resident of Baldwin County, Alabama, with the intention of making it his permanent home.
- 3: That more than two years next preceeding the filing of this bill, said Respondent, without good cause, did voluntarily abandon the bed and board of your Orator and has been guilty of voluntary abandonment from bed and board for two years next preceeding the filing of this bill and by reason thereof your Orator is entitled to an absolute divorce from said Respondent.
- 4: That the place of residence of said Respondent is unknown to your Orator, and after diligent search and inquiry he has been unable to learn the same, but that he is informed and believes that said Respondent is a non-resident of the State of Alabama and is a resident of the State of California but he is unable to give her place of residence with greater particularity; that said Respondent is over the age of twenty-one years.

WHEREFORE your Orator prays that he may be granted an absolute divorce from the Respondent, and that he may have such other and further relief in the premises as may be just and equitable.

And your Orator does further pray that your Honor direct that the

Register of this Court make out and superintend the appropriate order of publication to the non-resident defendant Katherine Ahler, commanding her to appear within thirty days after the period specified in the order of publication, before your Honor in this Honorable Court, then and there to answer all and singular the premises and to stand to and abide such order and decree therein as to this Honorable Court shall seem Meet; and your Orator will ever pray, &c.

Leopold Tomagny  
Solicitor for Complainant.

The Respondent, Katherine Ahler, is hereby required to answer the allegations of paragraphs numbered 1 to 4 inclusive, of the foregoing bill, but not under oath, oath to answer being expressly waived.

Leopold Tomagny  
Solicitor for Complainant.

STATE OF ALABAMA,  
County of Alabama. }

Before me Leopold Tomagny, a notary public in and for said county and state, personally appeared Edwin A. Ahler, who is known to me and being by me first duly sworn deposed and said that he is the complainant in the above entitled action, that he has read and knows the contents of the foregoing bill for divorce and that the same are true of his own knowledge, except as to matters which are therein stated to be on his information and belief, and as to those matters he is informed and believes them to be true.

Edwin A. Ahler

Subscribed in my presence and sworn to before me, this 8 day of October, 1929.

Leopold Tomagny  
Notary Public.

The State of Alabama, }  
Baldwin County.

No. 3411

Circuit Court, in Equity.

Edwin A. Ahler,

Complainant

vs.

Katherine Ahler,

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

on account of voluntary abandonment,

It further orderd, that the said Edwin A. Ahler, be, and he is hererby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Edwin A. Ahler, pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said

Katherine Ahler.

It is further ordered, adjudged and decreed that said Edwin A. Ahler, shall not again marry except to said Katherine Ahler, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Katherine Ahler

during the said pendency of appeal

This \_\_\_\_\_ day of \_\_\_\_\_ 1923.

Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, }  
Baldwin County.

Circuit Court, in Equity.

I, \_\_\_\_\_ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_\_\_, in the cause of \_\_\_\_\_

Complainant

vs,

Defendant

as appears of record in said Court,

Witness my hand and the seal of said Court, this the \_\_\_\_\_

day of \_\_\_\_\_ 192\_\_\_\_

Register

EDWIN A. AHLER, )  
 )  
 Complainant )  
 )  
 VS. )  
 )  
 KATHERINE AHLER, )  
 )  
 Respondent )

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

DEPOSITIONS OF SUNDRY  
WITNESSES IN BEHALF OF  
PLAINTIFF.

TESTIMONY OF EDWIN A. AHLER

My name is Edwin A. Ahler, am 53 years old, and have lived in Summerdale in Baldwin County, Alabama, for the past ten years, and it is my intention to continue to reside in Baldwin County, Alabama, permanently.

I was married to the respondent, Katherine Ahler, in Mobile, Alabama, on December 28, 1926, and we lived together in Summerdale until October 4, 1927. Several times during this time she left without explanation and was gone for a week or two at a time, but on October 4, 1927, she left, to go to Mobile she said, and I have never seen her from that day to this.

During the time she lived with me I provided for her adequately and to the very best of my ability and always treated her kindly and with affection and have never given her any reason or cause to abandon me, but she did abandon me on October 4, 1927, and I have not seen nor heard from her since and do not know where she now is.

My wife, Katherine Ahler, voluntarily and without cause abandoned me and my bed and board more than two years next preceding the filing of the Bill for Divorce in this action, and for that reason I now desire and ask the court for a decree of divorce from her.

Edwin A. Ahler

TESTIMONY OF F. J. CHEESEMAN

My name is F. J. Cheeseman and I live at Summerdale, Baldwin County, Alabama, where I have resided for the past 27 years. I have known Edwin A. Ahler for about 10 years, ever since he came to Baldwin County, and I met his wife and was acquainted with her during the 9 or 10 months she lived here with him.

I know that Mr. Ahler has been a bona fide resident of Baldwin County, Alabama, for more than the past nine years, and I believe intends to continue to reside here.

I remember the day Mrs. Ahler left and to the best of my recollection now that was about the 1st of October, 1927, altho I can not be positive that that was the exact date. I do know that she lived in Summerdale with Mr. Ahler less than a year. During this time, I know that she had credit at all the stores and bought anything she wanted and charged it to him, and from all I could see and observe he treated her well, in fact, better than I think I would have treated her under the circumstances, and gave her no cause or reason for leaving him.

She did leave, as I have said, about October 1st, 1927, and I know that she has never been back and they have not lived together since. This abandonment was voluntary on her part and insofar as I know was without any cause given by Mr. Ahler.

F. J. Cheeseman

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

To Elna Carson

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 Edwin A. Ahler and F. J. Cheeseaman

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

Edwin A. Ahler

Complainant

and

Katherine Ahler

Defendant,

on oath to be by you administered, upon Oral Examination to take and certify the deposition... of the witness... and return the same to our Court, with all convenient speed, under your hand.

Witness 26th day of July 19 30



REGISTER

COMMISSIONER'S FEE, \$ \_\_\_\_\_

WITNESS' FEES, \$ \_\_\_\_\_

NO. \_\_\_\_\_

**The State of Alabama**  
**BALDWIN COUNTY**  
**CIRCUIT COURT**

Edwin A. Ahler

Complainant

vs.

Katherine Ahler

Defendant

**COMMISSION TO TAKE DEPOSITION**

**COMMISSIONER:**

Elna Carson

**WITNESSES:**

Edwin A. Ahler

F. J. Cheeseman



NO. ....

8414

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,  
BALDWIN COUNTY, ALA.

Edwin A. Ahler

vs.

Katherine Ahler.

DECREE OF DIVORCE.

Filed in office this .....

day of ....., 192 .....

Register.

E. O. M. ....

242  
RECORDED

NO. 841 $\frac{1}{2}$

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,  
BALDWIN COUNTY, ALA.

Edwin A. Ahler

vs.

Katherine Ahler.

DECREE OF DIVORCE.

Filed in office this

10<sup>th</sup>

day of

Aug

1923

*[Signature]*

Register.

E. O. M.

NOTICE TO NON-RESIDENT.

MOORE PTG CO BAY MINETTE

Edwin A. Ahler

Att

No. ....

Katherine Ahler vs.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

This the 8th day of  
October 1929

In this cause it being made to appear to the Register of this Court by the affidavit of  
Edwin A. Ahler

Katherine Ahler.

that the Defendant

and her place of residence is unknown  
is a non-resident of the State of Alabama  
to affiant and after diligent search and inquiry he has been  
unable to learn the same.

and further, that, in the belief of said Affiant the Defendant is  
Baldwin County News  
years; it is, therefore ordered that publication be made in the  
Robertsdale, a newspaper published in

Baldwin County, Alabama, once a week for four consecutive weeks, requiring  
Katherine Ahler  
the said

8th  
to answer or demur to the Bill of Complaint in this cause by the  
November 9 day of  
1929, or after thirty days therefrom a decree Pro Confesso may  
the said Katherine Ahler,  
be taken against

Lloyd A. Magney

*T. W. Bessinger* Register.

Attorneys for Plaintiff.

Edwin A. Ahler,

.....

.....

vs.

Katherine Ahler,

.....

.....

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,  
decree pro confesso and testimony of Edwin & A. Ahler and F. J. Cheeseaman,

.....  
.....  
.....  
.....  
.....

and in behalf of Defendant upon .....

.....  
.....  
.....

*F. J. Cheeseaman*

Register.

3

RECORDED

No. 841 1/2

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

Edwin A. Ahler

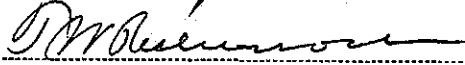
VS

Katherine Ahler

NOTE OF TESTIMONY

Filed in Open Court this 30th

day of July 1939



Register

The State of Alabama,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.  
No. 841 $\frac{1}{2}$  Vacation Term, 1930.

Edwin A. Ahler Complainant.  
vs. Katherine Ahler 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 10th day of October, 1930, in the Baldwin County News a newspaper published in Robertsdale, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 10th day of October, 1930, and

And it now further appearing to the Register, that the said Katherine Ahler

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 Katherine Ahler,

This 7th day of July 1930

*D. W. Dickerson* Register.

1 9.02

No. 8412 **RECORDED** Page \_\_\_\_\_

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY.**

Edwin A. Ahler

vs.

Katherine Ahler

**DECREE PRO CONFESSO  
OF PUBLICATION**

Issued July 7<sup>th</sup> 1930

D. W. Rice  
Register.

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

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

Register.

Elma Carson,  
AFTER FIVE DAYS RETURN TO  
KLOYD A. MAGNEY  
FOLEY, ALABAMA

FOLEY  
JUL  
29  
5 50 PM  
1930  
ALA



*Received Special  
Delivery July 29 1930  
K. A. Magney  
Foley Ala*

HON. T. W. RICHMOND,  
REGISTER IN CHANCERY,  
BAY MINETTE, ALABAMA.

*Elma Carson*  
Commissioner.

The within depositions taken,  
sealed and mailed by me.

STATE OF ALABAMA )  
BALDWIN COUNTY. )  
Katherine Ahler.

-VS-  
EDWIN A. Ahler,  
DEPOSITION.

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



STATE OF ALABAMA,  
Baldwin County.

}

CIRCUIT COURT, IN EQUITY.

No. 841 $\frac{1}{2}$

Vacation

Term, 192<sup>30</sup>

Edwin A. Ahler, Complainant

vs.

Katherine Ahler, Defendant

To T.W. Richerson, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Lloyd A. Magney

Solicitors 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.

Lloyd A. Magney  
Solicitor for Complainant.

✓ RECORDED

No. 841 $\frac{1}{2}$

Page

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

Edwin A. Ahler

vs.

Katherine Ahler

REQUEST FOR DECREE IN  
VACATION

FILED July 30th, 1930

*D. W. [Signature]*

Register

RECORDED IN RECORD

VOL. PAGE

Register