(159)	
DEPOSITION TAKEN BEFORE REGISTER ON ORAL EXAMINATION, Code 3139. (Box 715.) 850	105 marshall & bruce co., nashville
THE STATE OF ALABAMA, Baldwin	COUNTY.
IN CIRCUIT COURT, IN EQUITY.	
Sadie Kahalley, vs.	Complainant
Salene Kahalley,	Defendant
Oral examination before the Register of the following witnesses: W.R.Stuart	
who reside in Alabama, said examination being conducted in	
The said <u>witness</u> being first sworn to speak the truth, the whole truth testified as follows:	and nothing but the truth,
My name is W.R.Stuart, Kehalley, for fighting his wife Sadie Kahalley and before the Mayor of the Town of Bay Minette, Ala, on her neck where she claimed Salene had scratche fight he had with her.	carried him she had scratches
U.R. Stu	4.17

I, T.W.Richerson, , as Register,

hereby certify that the foregoing deposition.... on oral examinationtaken down by me in writing in the words of the witness...... and read over to <u>him</u> and <u>he</u> signed the same in the presence of <u>myself</u> , at the time and place herein mentioned; that I have personal knowledge of the personal identity of the said witness....., or had proof made before me of the identity of said witness.....; that I am not of counsel or of kin to any of the parties to said cause; or in any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

Given under my hand and seal this the 15th	day of October,	19 19.
	NURicumon	

WITNESS FEES.

I hereby certify that the following nan	ned witnesses are entitled to the amounts stated	below:
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	days' attendance at \$1.50 per day	
		\$
	REGISTER'S FEES.	
		\$
words at 20 cents per hundred.		

Page____ No The State of Alabama, COUNTY. IN CIRCUIT COURT, IN EQUITY. die Habellug Complainant, Hahaley Defendant. Deposition Taken Before Register on Oral Examination. Deposition of for_____ Filed / 5 day of Oct, 19 19 Published by order of the Court,_____ day of ____ Register. MARSHALL & BRUCE CO., NASHVILLE -3

Sec.

THE STATE OF ALABAMA, COUNTY OF BALDWIN.

THIS AGREELENT, made and entered into on this the 14- day of August, 1919, by and between SALEN KAHALLEY, as party of the first part, and SADIE KAHALLEY, as party of the second part, WITNESSETH THE FOLLOWING, VIZ:

WHEREAS, the parties to this agreement, who are husband and wife, have found it wholly impossible to live together any longer; and,

WHEREAS, the party of the first part has instituted a proceeding in the Circuit Court of Baldwin County, Alabama, In Equity, for the purpose of obtaining a divorce from the party of the second part, but it has been considered advisable, pending the conclusion of said proceeding, for the parties to this instrument to agree between themselves upon the questions of alimony, expenses of the said proceeding, and the custody of the two minor sons of the parties, the agreement with reference to all of the same to be embodied in the decree that may be rendered in the said proceeding, in the event such decree is favorable to the party of the first part;

NOW, THEREFORE, it is further agreed between the parties to this instrument that, if a decree is rendered in the above mentioned proceeding, granting a divorce to the party of the first part, there shall be embodied in said decree, as a part thereof, the following, viz:

1:- That the party of the first part shall pay to the solicitors representing the party of the second part in the said divorce proceeding the sum of Fifty Dollars, (\$50.00), as their fee for the services rendered her in said cause.

2:- That, beginning with the first of the month next following the rendition of such decree, the party of the first part shall pay to the party of the second part the sum of Thirty Dollars, and that he shall pay to her an equal sum on the first of each succeeding month, as full permanent alimony, such monthly payments to be continued so long as the party of the second part shall live and remain unmarried, but to cease immediately upon her death or marriage.

do

3 .- That the party of the first part is to have the custody of the two minor sons named in the bill of complaint in the said proceedings, the party of the second part to have the right to see the said children at all convenient times, but it shall be the duty of the party of the first part to keep the said children in a school equal to the school they have been attending in the town of Bay Minette, Alabama, and to continue their education in that respect until they, respectively, arrive at the age of eighteen years; and, in the event the party of the first part fails or refuses to have the said children attend school, as herein provided, the party of the second part shall have the privilege of taking them into her custody and requiring the party of the first part to pay for their education, to the extent hereinabove mentioned; that is to say, to make such provision as would enable the party of the second part to keep them in a school of the kind and quality above described, for the time herein stated.

4.- That the said decree, if favorable to the party of the first part, may provide that all of the sums of money that have been agreed by the party of the first part to be paid by him, including permanent alimony of thirty dollars per month, shall be protected by a lien upon any and all property of the party of the first part.

IN WITNESS of all of which, the parties to this agreement do hereunto set their hands, in duplicate, on this, the day and date first hereinabove stated.

WITNESSES:

Mun Durner

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Dadie Hahalley Solon Kokalley

It is agreed as per letter of Oct. 4th that the above agreement may be amended so as to show that Sadie Kahalley is Complainant and Salen Kahalley respondent and that case be stated accordingly.

to the Circuit Court of Baldwin Co Salcu Kahalley J In Equily -This Bill is filed by complainant fraging for a decree awarding his the custody of the children of her and Respondend and for transfory and formant ahinony and Solicitors free. The dummers challing the specify of the Biel and I believe are well taken - Equily has the former of authority in evers of this kind other there to some and thre for deals wich the profession of main lanne solely -From the allegations of the Bill it offense that there farties are living together, fissibly not very pleasantly get there is no separation, and from the allegation that Complainant has the property or money, it me-issarily afficers that she is hing suffected and maintand by Reefondent. This is all the lour Could compel time to do -The Rigister will unroll the following desree. This cause to submitted for diaree on the churren . to to the original Biel & complaint and on Cunsulnation, It is ordered, adjudged and decreed that said dunurrers he and they are hereby sustained -It is putties ordered, adjudged and decruch that Complainant may around his sill wichin thirty days from this clate if she is advised as to do, feiling where in this cause is dismissed at the costs of Cours lainant, This may 9th 1919. Delauble July -

2.

TO HONDRABLE A. E. GAMBLE, JUDGE OF THE CIRCUIT COURT, BALD-WIN COUNTY, ALABAMA ;----- In equity.

Your Oratrix, Sadie Kahalley, respectfully represents and shows unto your Honor as follows: That she is a bona fide resident citizen of the County 1. of Baldwin and State of Alabama, and is over the age of twentyone years of age.

That Salen Kahalley is a resident of Baldwin County, Alabama, and is over the age of twenty-one years of age.

That both Sadie Kahalley and Salen Kahalley live in Bay Minette, Alabama.

That your Oratrix and the said -alen Kahalley were married about thirteen years ago and are now husband and wife. That Your Oratrix is the mother of two children and that Salen Kahalley is the father of both said children; that both children are boys; that the oldest one is named George Kahalley and is aboutetwelve years of age; that Fred Kahalley is the youngest and is about ten and one half years of age.

That the said Salen Kahalley on or about March 2nd, 1919, 3. choked and beat your Oratrix with his hand; that prior to this on several different occasions the said Salen Kahalley whipped your Oratrix; that the said acts of violence endangered the life or health of your Oratrix, and that there is constantly reasonable apprehension of spin violence. That the said Salen Kahalley does not treat your Uratrix as his wife; that he ignores her absolutely, treating her as nothing more than a hired girl and refuses to have the proper relation with his said wife. That the said Salen Kahalley makes un-necessary trips to the City of mobile, Alabama each week.

4. That the said Salen Kahalley is reputed to own very valuaba property in the County of Mobile, Alabama, and that he is the owner of considerable property in Baldwin County; Alabama. That the property owned by the said "alen mahalley is worth several

In the second

thousand dollars

DATE.

5. That by the said Salen Kahalley committing the acts of violence and mistreating your Oratrix it is unsafe for your Oratrix to live with the said Salen Kahalley. That your Oratrix have been faithful to the said Salen Kahalley and that she is now ready and willing to live with Salen Kahalley if her life or health was not endangered. That your Oratrix has no money or property at all; that it is impossible for her to care for herself and children; that your Oratrix has no home in which to stay and is now forced to remain in the dwelling with her said husband in order that she have shelter.

6. That the said Salen Kahalley has repeated endeavored to obtain a divorce from your Oratrix through fraud; that he sent your Oratrix out of the state of Alabama to the City of New York in order that he might obtain a divorce without your Oratrix knowleing of the said divorce proceedings; that the said Balen Kahalley did obtain the decree of divorce fraudylently and that the said decree was set aside by this Honorable Court; that at the time Your Oratrix left the State for the City of "ew York, the said Salen wahalley was extremely nice to your Oratrix treating her in this way in order to get her to leave the State, that he was very nice to Oratrix for some several days just prior to the time your Oratrix left for wew fork; that this proceeding is only one out of four different attempts to obtaind the divorce.

Prayer for process.

The premises considered, Complainant prays that the said Salen Kahalley be made party respondent to this bill of complaint by the usual process of this Honorable Court, and that he be required to demur, plead to or answer the same within the time and under the penalties as provided by law, or that the same be forever confessed, and all other orders and decrees as may be meansary to obtain the PRAYER FOR RELIEF: That your monor will grant unto complainant temporary

That Your monor will grant unto complainant temporary alimony and attorneys fee for carrying on this litigation; that upon the final hearing of this cause four Honor will grant unto Complainant the custody of her two children and a sufficient and reasonable amount of permanent alimony suitable to the station and condition in life of your oratrix and her two children and to the estate of the said Defendant, Salen Kahalley.

That Your Honor will grant unto your Oratrix such other, different and general relief as she may in justice and equity be entitled.

adie Kahaller 00

Solicitors Complainant.

FOOT NOTE:

The Defendant, Salen Kahalley, is required to answer each and every paragraph of the foregoing bill of complaint, numbered from 1 to 6, inclusive, but not under oath, answer under oath being hereby expressly waived.

Solicitors for Complainant.

THE STATE OF ALABAMA, CIRCUIT COURT OF BALDWIN COUNTY, BALDWIN COUNTY. IN EQUITY.
P M
To any Sheriff of the State of Alabama-GREETING:
WE COMMAND YOU, That you summon Salen Kahalley,
•
of Doldmin Country to be and survey before the Judge of the Circuit Count of
of
Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to
answer, plead or demur, wihout oath, to a Bill of Complaint lately exhibited by
Sadie Kahalley,
Jaura rancer sy ,
against saidSalen Kahalley,
Dalon Renall of ,
and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant
shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement
thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 12th day of March,

M. Reilworm Register.

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N. B.-Any party defendant is entitled to a copy of the bill upon application to the Register.

Copy Original Serve, on palete Halage THE STATE OF ALABAMA, CIRCUIT COURT OF BALDWIN COUNTY, IN EQUITY. Received in office this. day No. Je & & & SUMMONS. Executed this ... Sadie Kahalley by leaving a copy of the within Summons with 24 vs. By Salen Kahalley. Page and Moorer. Solicitor for Complainant. Recorded in Vol. Page

BALDWIN COUNTY.

3

Sheriff.

Defendant

Sheriff

Deputy Sheriff.

day of

Sadie Kahalley,

Vs.

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

Salen Kahalley,

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Respondent.

Complainant.

TO THE HONORABLE, THE FIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND TO THE HON. A.E.GAMBLE, AS JUDGE THEREOF, SITTING IN EQUITY:-

The Petition of Sadie Kahalley respectfully represents and shows unto your Honor and unto the Court as follows:

FIRST.

That she is over the age of Twenty-one years and is a bona fide resident citizen of the County of Baldwin, State of Alabama.

SECOND.

That there is now pending in this Honorable Court a Bill

for divorce amensa et thoro, filed by this Petitioner against Salen Kahalley, a copy of which Bill for divorce now pending is hereto attached, marked, "Exhibit A", and made a part hereof, as though fully set out herein.

THIRD.

That this Petitioner is without means with which to carry on litigation against her said husband, Salen Kahalley, and is without means to support herself and the Two said minor children, fruits of the said marriage, and that the said Salen Kahalley is well able to provide for your Oratrix and his Two said children.

PRAYER.

The premises considered, your Oratrix respectfully prays that your Honor will make and enter an order and decree, ordering a reference to be held by the Register in Chancery of this Honorable Court to ascertain what is a reasonable Attorney's fee to beallowed your Oratrix pendente lite and what is a reasonable alimony to be paid your Petitioner pendente lite out of the estate of the said Salen Kahalley.

That is your Petitioner is mistaken in the relief herein prayed for, that your Honor will grant unto her such other, further,

Onor

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different and general relief as in justice and equity she may be entitled to receive, under the allegations and proof she will ever pray, etc.

Dadie Mahally

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me Mury Alumn, a Notary Public

in and for said County and State, personally appeared Sadie Kahalley, who, being by mefirst duly and legally sworn, doth depose and say:

I am the Petitioner in the foregoing cause. The allggations contained in the foregoing Petition, numbered from First to Third, both inclusive, are true.

Sadie Kahally

8 45 2

Subscribed and sworn to, before me, this the Thay of

June, 1919.

Mury Drom

States -

Sadie Kahalley,) Complainant.) VS.) Salenğahalley,)

Respondent.

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

Now comes the Complainant and by leave of the Court first had and obtained, amonds the Original Bill in this cause so that the said Original Bill shall read as follows:

FIRST.

That she is over the age of Twenty-one years and is a

bona fide resident citizen of the County of Baldwin and State of Alabama, and has been such resident citizen for One year next proceeding filing of this Bill, and that Salen Kahalley is over the age of Twenty-one years and is a resi-

dent citizen of the County of Baldwin and State of Alabama.

SECOND.

That your Cratrix and the said Salen Kahalley were lawfully married about Thirteen years ago and lived together as husband and wife until, to-wit: the 2nd day of March, 1919, at which time they separated and since the said time they have not lived together as husband and wife.

THIRD.

That on, to-wit: the 2nd day of March, 1910, the said Salen Kahalley choked and beat your Oratrix with his hands and that prior to the said 2nd day of March, 1919, the said Salen Kahalley unmercifully whipped your Oratrix on divers and sundry occasions, and the suid Salen Kahalley threatens to again beat, choke and cruelly treat your Oratrix. And the said acts of violence committed on the said 3nd day of March, 1919, on the person of your Oratrix by the said Salen Kahalley were attended with danger to her life or health, and from his conduct towards your Oratrix there is reasonable approhension of danger to the life or health of your Oratrix. And your Oratrix avers that the said Salen Kahalley agains threatens to again commit acts of violence upon her person.

aaalaac

FOURTH.

That your Gratrix is informed and believes and on such information and belief alleges and states the truth to be that the said Salen Kahalley is the owner of valuable property situated in Mobile County, Alas base and of the value of, to-wit: Seven Thousand Dellars(\$7,000.00).

That your Gratrix avers as a fact that the said Salen Kahalley is now running and operating in the Town of Bay Minette, Baldwin County, Alabama, a moreantile establishment and is doing a live and active moreantile business and is carrying a stock of goods, wares and merchandise of the value of, to-wit: Five Thousand Dalars(\$5,000.00).

That your Gratrix is the owner of no property and has no means of support.

FIFTH.

That there was born to your Gratrix and the said Salen Kahalloy Two children, both boys and of the age of, to-wit: Twelve and Eleven years. And your Gratrix further shows unto this Henerable Court that the said Salen Kahalley is not a suitable and proper person to have the custody and catrol and rearing of the said minor children, and that he is a man of violent disposition, cruel, immoral, of limited education and otherwise unsuited to have the custody and control of the said children, and that your Gratrix is a suitable and proper person to have the custody and control and rearing of the said children.

PRAYER FOR PROCESS.

The pamiees considered, your Oratrix respectfully prays this Honorable Court that the said Salen Kahalley be made a party respondent to this Bill of Complaint by the usual process of this Honorable Court and that he be required to domur, plead or or answer this Bill of Complaint under the pains and penalties of this Honorable Court and within the time required by the rules of this Honorable Court, or that the same be forever confessed.

PRAYER FOR RELIEF.

That on the final hearing of this cause your Honor will make and enter an order and decree, granting unto your Oratrix a divorce

amensa et thore.

That your Honor will make and enter a decree, allowing this Complainant alimony pendente lite, reasonable Attorneys' fees pendente lite, permanent Attorneys' fees and permanent alimony out of the estate of the said Salen Kahalley,

That your Honor will make and enter an order and decree, awarding the custody of the Two children, the said miners, to this Complainant.

That, if your Complainant is mistakon in the reliof above prayed for that your Honor will grant unto her such other, further, different and general relief as in justice and equity she may be entitled to receive, under the allegations and proof, she will ever pray, etc.

> HAGE & NOORER, STONE & STONE. Solicitors for Compleinant.

FCOT NOTE: The Respondent is required to answer each and every allegation of the foregoing Bill of Complaint from First to Fifth, both inclusive, but not under oath, answer under oath being hereby expressly waived.

> BAGE & MOORER, STONL & STONE. Solicitors for Complainant.

DEPOSITION TAKEN BEFORE R	REGISTER ON ORAL EXAMINATION,	Code 3139. (Box 715.)	85605 marshall & bruce co., nashvi	
A series and a series of the s	OF ALABAMA,		COUNTY	
	IN CIRCUIT COURT	Γ, IN EQUITY.		
	Sadie Kahall vs.	ey,	Complainant	
	Salen Kahal	ley,	Defendant	
Oral examination before	the Register of the following v	vitnesses:		
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sola view a	Martin and - Area - 1944			
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who reside in Alabama, said				
	of October, 1919	•, and there be		
		•, and there be		
on this the 8th day	of October, 1919	, and there be	ing present	
on this the 8th day	of October, 1919 H.D.Moorer,	, and there be	ing present	
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Upon good information I believe that Salen Kahalley is the owner of valuable property in Mobile County Alabama of the value of to Wit: \$7000,00,

Salen Kahalley is now running and operating in the Town of Bay Minette, Baldwin Co, Alabama, a mercantile establishment and is doing a live and active mercantile business and is carrying a stock of goods, wares and merchandise of the value of to wit: - Five thousand Dollars, \$500000.

I have no property and have no means of support.

Sadie Kahally

I, Du Reihow , as Register

hereby certify that the foregoing deposition..... on oral examination Max_taken down by me in writing in the words of the witness..... and read over to _______ and _______ signed the same in the presence of ________, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the said witness....., or had proof made before me of the identity of said witness,....; that I am not of counsel or of kin to any of the parties to said cause; or in any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts sta	ated below:
days' attendance at \$1.50 per da	.y\$
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REGISTER'S FEES.	
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words at 20 cents per hundred.	

4 Page No The State of Alabama, Baldwin COUNTY. IN CIRCUIT COURT, IN EQUITY. Edie Hahalley Complainant, alialay Defendant. Deposition Taken Before Register on Oral Examination. halle Deposition of for_____ Filed_S day of Published by order of the Court,_____ day of_ ormin Register. MARSHALL & BRUCE CO., NASHVILLE

a.

NOTICE.

Sadie Ka	halley,
	Complainant.
-	Vs.
Salen Ka	halley,

Respondent.

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

TO SALEN KAHALLEY, OR MESSRS. CHARLES HALL AND GORDON & EDDINGTON, HIS SOLICITORS OF RECORD:-

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You are hereby notified that a Petition will be presented to the Hon. A.E.Gamble, Judge of the Second Judicial Circuit of Alabama, at Greenville, Alabama, on Monday, the 23rd day of June, 1919, praying for an order of reference to ascertain what is a feasonable Attorney's fee pendente lite and a reasonable alimony pendente lite to be allowed Complainant out of estate of Respondent. That the said Petition is on file in this cause, subject to your inspection.

Dated at Bay Minette, Alabama, this the 2 day of June,

1919.

PAGE & MOORER, STONE & STONE, Solicitors for Complainant.

SADIE KAHALLEY,

Complainant.

VS

SALEN KAHALLEY,

Defendant.

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

This cause coming on to be heard was submitted to the Court upon the pleadings and proof as noted by the Register:

And upon consideration, the court is of the opinion that Complainant is entitled to the relief prayed for in her said bill of complaint.

It is therefore ordered, adjudged and decreed by the court that the complainant be, and she is hereby granted a decree of divorce from bed and board; and the complainant and respondent having entered into an agreement on the 14th day of August, 1919, which provides for the payment of the fee of the solicitors representing the Complainant, and also for the custody and education of the two minor children who are named in the bill of complaint, and that all sums of money agreed to be paid by respondent, including permanent alimony, shall be protected by a lien upon any and all property of the respondent.

And it appearing in and by said agreement that it was the purpose of the parties to have the terms thereof embodied in such decree as might be rendered in favor of the Complainant:

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the said agreement of August 14th, 1919, be, and the same is hereby embodied in and made a part of this decree.

It is further ordered, adjudged and decreed by the court that, for the purpose of securing the payment of all sums of money provided in said agreement to be paid by the respondent a lien shall stand upon any and all property of the respondent until the full performance of the terms of said agreement.

It is further ordered, adjudged and decreed that com-

plainant pay the cost of said suit, to be taxed by the Register, for which execution may issue; and it is further ordered, that gthe agreement thus made a part of this decree shall be by the Register of the Court filed and recorded immediately following the recording of the decree,

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Done this 17- day of October, 1919.

scree, 6190 Sadie Kahally V2 Palen Kahally Filed Cet 18th 919. DWRichurson Register Recorded on Minutes REGO

8550 REQUEST FOR DECREE IN VACATION.

THE STATE OF ALABAMA, BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

Complainant.....

Sadie Kahalley.

VS.

Salen Kahalley,

Defendant.....

To T.W.Ricerson, Register:

In the above stated cause a Decree Pro Confesso having been taking 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

Complaiant, by _____ Page and Moorer, 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.

Page and Moorer,

Solicitor for Complainant.

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No. 159. Page		
THE STATE OF ALABAMA, BALDWIN COUNTY CIRCUIT COURT, IN EQUITY.		
Sadie Kahalley.		
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Saline Kahalley.		
REQUEST FOR DECREE IN VACATION.	57	
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8581 NOTE OF TESTIMONY.

Sadie Kahalley
 vs.
Salen Kahalley,

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, agreement and testimony of witnesses,

and in behalf of Defendant upon.....

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Register

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	No159.
	THE STATE OF ALABAMA, BALDWIN COUNTY
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	Salen Kahalley,
	NOTE OF TESTIMONY.
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