# The State Of Alabama, Baldwin County

### CIRCUIT COURT, IN EQUITY

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CLARENCE CLARKE, Complainant

VS.

FANNIE CLARKE, Defendant. E Q U I T Y
CIRCUIT COURT OF
BALDWIN COUNTY,
ALA BAMA.

Comes FANNIE CLARKE, Respondent in the above styled cause and for answer to the Bill of Complaint says she denies all allegations of same.

Respondent hereby waives service, notice of demand for oral examination of Complainant's witnesses, of issue of commission to take testimony, of the time and place set for taking same and the right to introduce evidence in her own behalf. She further consents that this cause may be submitted for final decree at any time upon the pleading and Complainant's evidence as noted by the Register.

Funil Clanke Respondent

Before me, the undersigned Notary, personally appeared Fannie Clarke who acknowledged that she executed the foregoing answer voluntarily with knowledge of its contents.

WITNESS my hand and official seal this the 27 day of October, 1943.

Notary Public, Escambia County, Fla.

motary Public, State of Florida at large, My commission expires Doc. 14, 1985. Bended by American Suraty See of the X CLARENCE CLARKE, Complainant

EQUITY

IN THE CIRCUIT COURT

VS

OF

BALDWIN COUNTY, ALABAMA.

FANNIE CLARKE

Respondent

DEPOSITIONS OF CLARENCE CLARKE, J. MASTERS, AND CORA WILSON, WITNESSES FOR COMPLAINANT.

Said witnesses being duly sworn appeared before me at the times and places hereinafter stated and testified upon examination as follows:

#### CLARENCE CLARKE

I am the Complainant in this case. I am over the age of twenty-one years and a life long resident of Fairhope, Baldwin County, Alabama. On October 24, 1938, I married the Respondent in Pensacola: Florida, and she and I lived together in Fairhope as husband and wife up to the latter part of September, whem she left me with her mother to go on a visit to relatives. Shortly after, her mother returned without her and later I had a letter from my wife, saying that she was not coming back to me. I found out afterward that she had gone off to meet a colored minister, whom she had known in Fairhope, and who had frequently come to the house, though at the time I did not suspect his motives. I am reliably informed that she has been cohabiting with this man both in Camden and in Pensacola, and is still maintaining adulterous relations with him in the latter dty, just where I am unable to state. I have not seen her since I learned this or in anywise resumed marital relations.

Manus Playe

#### J. H. MASTERS. REARXMEX WENNEYX

I am well acquainted with both Clarence and Fannie Clark. I now live in Pensacola, Florida, and know of my personal knowledge that Fannie has left Clarence and is infatuated with a preacher named D. H. HINES, with whom she now lives in adultery. She came to Pensacola before he did and when he came, she greeted this preacher most affectionately with hugs and kisses and has been spending the night with him at 3018 West Gadsden Street. She is still carrying on with this man, or was up to a few days ago. One place they spent the night together was 613 North East Street.

J. H. Inster

I have read pearlie letter and all statement is Time Cora wilson (6.13 n & Dt pensocala fila

#### CERTIFICATE

I, J. C. RUSHING , acting as Commissioner by agreement of the parties in a cause pending in the Equity Side of the Circuit Court of Baldwin County, Alabama wherein CLARENCE CLARKE Complainant and FANNIE CLARKE Respondent, hereby certify that I caused CLARENCE CLARKE, JACH, WILSON and CORA WILSON, , witnesses for Complainant, who are known to me, to come before me this day in the Town of Pensaggia, where, after being duly sworn by me to tell the truth, upon examination by E. G. Rickarby, Esq., Solicitor for Complainant, they testified as is hereinbefore written; that their testimony after being reduced to writing was read over and signed by them in my presence.

I further certify that I am not of counsel or of kin to either party to this cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as Commissioner this the  $\_{8th}$  day of November, 1943.

JeRushing
Commissioner.

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

Comes CLARENCE CLARKEand by this his Bill of Complaint presented against FANNIE CLARKEshows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years and native born citizens and residents of Baldwin County, Alabama, though Defendant is now temporarily in Pensacola, Florida. That they were married October 24, 1938 in the City of Pensacola, but have since lived in Fairhope up to the latter part of September last, when she left him as hereinafter stated.

SECOND: That on September 21, 1943, Defendant left Complainant, with whom theretofore she had been on the best of terms, stating that she and her mother were going to Birmingham to visit relatives. That shortly after, Defendant's mother returned, stating that her daughter had gone on to visit other relatives. Later Defendant sent word that she did not expect to return and Complainant has since learned that she went to Camden, Alabama, to meet a colored preacher with whom she had become infatuated, and since that time has been maintaining adulterous relations with said preacher first in Camden and later in Pensacola, Florida, where she now is.

THIRD: Complainant therefore charges Defendant with adultery committed with said D. H. HINES , but is unable to state the exact times and places of such action.

THE PREMISES CONSIDERED, Complainant prays that FANNIE CLARKEbe made Defendant to this bill and required to answer same within the time prescribed by law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing him from the said FANNIE CLARKE, granting him the right to marry again should he so desire and such other, further or different relief as to equity may seem meet.

Eclive S. Qi Carly.
Solicitor for Complainant

CLARENCE CLARKE, Complainant

FANNIE CLARKE, Respondent.

DEPOSITIONS OF CLARENCE CLARKE, J. H. WILSON and CORRES WILSON, WITNESSES FOR CORPLETE COMPLAINANT.

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CLAPENCE CLARKE, Complainant.

versus

FANNIE CLARKE, Respondent.

ANSWER AND WAIVER.

1200 May 1943

Clarence Clark	χ <b>e</b> •					
		THE STATE OF ALABAMA,  BALDWIN COUNTY				
· · · · · · · · · · · · · · · · · · ·						
VS.		IN EQUITY				
Fannie Clarke.						
		CIRCUIT COURT OF BALDWIN COUNTY				
This cause is submitted in beh	alf of Complainant	t upon the original Bill of Complaint,				
Answer & Waive	r, and Test	imon <del>y</del> Clarence Clarke, J H <u>Wils</u> on				
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# RECORDED

No. 1019.

The State of Alabama,
IN EQUITY CIRCUIT COURT OF BALDWIN COUNTY
Clarence Clarke,
vs.
Fannie Clarke.
NOTE OF TESTIMONY
Filed in Open Court this 10th
day of Nov, 1943
Register.
Moore Printing Co.