

1019

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CLARENCE CLARKE, Complainant
VS
FANNIE CLARKE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Answer and waiver and Testimony as noted by the Register, and upon consideration thereof, the Court is of the 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 that the said CLARENCE CLARKE is forever divorced from the said FANNIE CLARKE, for and on account of adultery.

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that both parties be, and are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Clarence Clarke, the Complainant pay the cost herein to be taxed, for which execution may issue.

This 10th day of November, 1943.
[Signature]
Judge Circuit Court, in Equity.

I, [Signature], Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the [ ] day of [ ], 19 [ ]

Register of Circuit Court, in Equity.

RECORDED

No. .... Page .....

**The State Of Alabama**

Baldwin County

In Circuit Court, In Equity

CLARENCE CLARKE, .....

vs. Complainant.

FANNIE CLARKE, .....

Respondent.

**DIVORCE DECREE**

CLARENCE CLARKE,  
Complainant

vs.

FANNIE CLARKE,  
Defendant.

E Q U I T Y  
CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.

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.

Fannie Clarke  
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<sup>th</sup> day of October, 1943.

R. W. Dunsen  
Notary Public, Escambia County, Fla.

Notary Public, State of Florida at large.  
My commission expires Dec. 14, 1945.  
Bonded by American Surety Co. of N. Y.

CLARENCE CLARKE,  
Complainant

E Q U I T Y  
IN THE CIRCUIT COURT

vs

OF

BALDWIN COUNTY, ALABAMA.

FANNIE CLARKE,

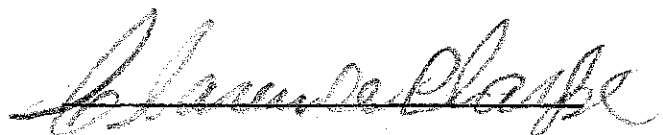
Respondent

DEPOSITIONS OF CLARENCE CLARKE, J. H. 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:

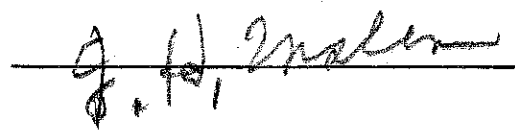
CLARENCE CLARKE

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, when 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 city, just where I am unable to state. I have not seen her since I learned this or in anywise resumed marital relations.



J. H. MASTERS. ~~XXXXXXXXXXXX~~

I am well acquainted with both Clarence and Fannie Clarke. 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.



I have read Pearl's letter and all statement is  
true

Eva Wilson

613 N E St

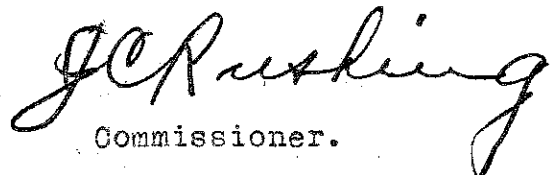
Pensacola Fla

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 is Complainant and FANNIE CLARKE Respondent, hereby certify that I caused CLARENCE CLARKE, IDA H. WILSON and CORA WILSON, witnesses for Complainant, who are known to me, to come before me this day in the Town of Pensacola, 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.

  
Commissioner.

TO THE

HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA; IN EQUITY:

Comes CLARENCE CLARKE and by this his Bill of Complaint presented against FANNIE CLARKE shows:

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 CLARKE be 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.

*Clarence S. Rinehart*  
Solicitor for Complainant

1019  
CLARENCE CLARKE,  
Complainant

VS

FANNIE CLARKE,  
Respondent.

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



1019  
EQUITABLE RECORDS

CLARENCE CLARKE,  
Complainant.

versus

FANNIE CLARKE,  
Respondent.

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ANSWER AND WAIVER.

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Filed May 7 1943  
R. S. [Signature]

Clarence Clarke,  
 \_\_\_\_\_  
 \_\_\_\_\_  
 VS.  
 Fannie Clarke.  
 \_\_\_\_\_  
 \_\_\_\_\_

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 & Waiver, and Testimony Clarence Clarke, J H Wilson.  
 and Cora Wilson.

and in behalf of Defendant upon Answer & Waiver.

*Rodrick* Register.

RECORDED

No. 1019.

The State of Alabama,  
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Clarence Clarke,

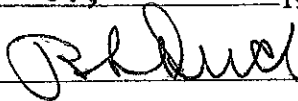
vs.

Fannie Clarke.

NOTE OF TESTIMONY

Filed in Open Court this 10th

day of Nov, 1943



Register.