

No. 629

Page 9

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

Paul J. Clark

VS.

Paul J. Clark

REQUEST FOR DECREE IN  
VACATION

FILED

Feb 18

1926

J. M. McIlwain

Register

RECORDED IN \_\_\_\_\_ RECORD

VOL. \_\_\_\_\_ PAGE \_\_\_\_\_

Register

PEARL L. CLARK  
Complainant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

-vs-

CHARLES T. CLARK.  
Defendant.

Comes the defendant and denies each and every allegation contained  
in the bill of complaint filed against him and demands strict proof thereof.

C. T. Clark Deft.

# The State of Alabama } BALDWIN COUNTY.

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY.

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Charles T. Clark

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Pearl L. Clark,

against said

Charles T. Clark,

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 16th day of December,

192 5.

*T. W. Richerson*  
Register.

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

Original 2

Serve on

Circuit Court of Baldwin County  
In Equity

SUMMONS

Pearl L. Clark,

vs.

Charles T. Clark

Stone & Stone .

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA  
BALDWIN COUNTY

Received in office this

day of

1925

Sheriff.

Executed this

day of

1925

by leaving a copy of the within summons with

Defendant.

Sheriff.

By

Deputy Sheriff.

to out at  
in no way  
and for

ALL

N. B. - V.

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

No. 549 CIRCUIT COURT, IN EQUITY

PEARL L CLARK

Complainant

vs.

CHARLES T CLARK

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.

AND IS AWARDED THE CUSTODY AND CONTROL OF THE MINOR CHILD CHARLES T CLARK JR

~~AND THE COMPLAINANT IS PERMITTED TO REMARRY UPON PAYMENT OF THE COSTS OF THIS PROCEEDING~~

It is further ordered, that the said PEARL L CLARK

be, and IS he is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said PEARL L CLARK

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 PEARL L CLARK

It is further ordered, adjudged and decreed that said PEARL L CLARK

shall not again marry except to said CHARLES T CLARK

until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said CHARLES T CLARK during the pendency of said appeal

This 28<sup>th</sup> day of Feby. 1926 192

John D. Lough  
 Judge of the Circuit Court of Baldwin County.

THE 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.

No. 449

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY,  
BALDWIN COUNTY, ALA.

PEARL L CLARK

vs.

CHARLES T CLARK

DECREE OF DIVORCE.

Filed in office this

18th

day of

March 1922

Register

E. O. M.

RECORDED

STATE OF ALABAMA, BALDWIN  
COUNTY.

That upon the final hearing of this cause, that your Honor will render adjudged and decreed that the bonds of matrimony heretofore existing between your Complainant, Pearl L. Clark and the Defendant, Charles T. Clark, be forever dissolved and that your Com-

plainant be again permitted to contract the marriage relation should she so desire.

In duty bound, she will ever pray etc.,

Pearl L. Clark  
Complainant.

Stone & Stone  
Stone & Stone,  
Solicitors for Complainant.

FOOTNOTE:

The Defendant, Charles T. Clark is required to answer each and every paragraph of the foregoing Bill of Complaint from First to Third both inclusive, but answer under oath is hereby expressly waived.

Stone & Stone  
Stone & Stone,  
Solicitors for Complainant.



# NOTE OF TESTIMONY

The State of Alabama,

PEARL L CLARK

Complainant

VS.

CHARLES T CLARK

Respondent

No. 529.

In Circuit Court,

In Equity

IN THIS CAUSE comes the Complainant Pearl L Clark

by her solicitor and submits the same for Final

decree upon the Original Bill and exhibits thereto

, and upon the following testimony, to-wit:

Bill and Answer -- Testimony of Complainant and Mrs Elizabeth Mayo and

Charles T Clark Jr.

I hereby certify that the above note of Testimony is correct.

This 18th day of Feby. 1926, 19

*F. W. Reimer*

Register.

5  
No. 529

The State of Alabama

Baldwin County

Circuit Court in Equity

Paul L. Clark

Complainant

vs.

Chas. J. Clark

Respondent

NOTE OF TESTIMONY

Filed 18th day of Feb., 1926

J. W. Williamson Register

Record Page

549

**The State of Alabama,** } Circuit Court of Baldwin County, Alabama  
Baldwin County. } (In Equity.)

..... Pearl L. Clark ..... Complainant.

VS.

..... Charles T. Clark ..... Respondent.

I ..... T W Richerson .....

as Register and Commissioner .....

have called and caused to come before me ..... Pearl L. Clark , Charles Thomas Clark Jr  
and Elizabeth Mayo .....

witnesses named in the Requirement for Oral Examination, on the 18 day of Feby. 1926 ---  
192 ....., at the office of .....

in ....., Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Pearl L. Clark .....

doth depose and say as follows:

My name is Pearl L. Clark. I am the complainant in the divorce suit pending in this court against Charles T. Clark, both of us are over the age of 21 years and are now and have been for more than three years next immediately preceding the filing of the complaint in this cause bona fide residents of Baldwin County, Alabama, residing at Bay Minette, Alabama. I was married to Charles T. Clark during the year 1911 and lived with him as his wife until December, 1923, when I was compelled to leave him on account of his cruel treatment. He committed actual violence on my person by striking me with his fist in the face. Just before that he slapped me several times. He has cursed me and abused me besides beating me and has often threatened to beat me up or strike me. By reason of his conduct and knowing his uncontrollable temper I was afraid to live with him any longer and feared danger from him to my life or health. Since being compelled to leave him I have supported myself and my little son Charles T. Clark Jr., now 13 years of age. He also works to help support me and himself. I am dependent upon my own efforts and that of my little son for my support. Charles T. Clark is not a fit and proper person to have the custody and control of my little boy, Charles T. Clark, Jr. I am afraid to go near him on account of his threats and on

account of his having beat me up with his fist and slapped me because he has threatened to do so again.

*Pearl L. Clark*

MRS. ELIZABETH MAYO, a witness for the complainant, having first been sworn to speak the truth, the whole truth and nothing but the truth at the same time and place testifies as follows:- I have known both the parties to this suit about eleven years and have lived as a close neighbor all that time. Mr. Clark is a man of violent temper. They are both over twenty-one years of age and live at Bay Minette, Baldwin County, Alabama, where they have lived for more than three years next preceding the filing of their complaint. They have lived together as man and wife for the past eleven years to my knowledge. He has told me that she was his wife but I was not present at the wedding. I have heard the fuss and rows over at their house and saw Mrs. Clark immediately after Mr. Clark had struck her on the side of the head, leaving a big knot and bruise. I asked him about it and asked him would he strike a woman and did he strike her and he said to me, "Yes By God, I would". He is not a fit and proper person to bring up a child to lead a Godly life. Mrs. Clark has had to work to maintain and support herself as Mr. Clark is a miser and did not properly provide for his family. I know that Mrs. Clark has worked in the field and clerked in stores. She is a woman of splendid reputation and well liked by all who know her and is to be pitied for having married such a man. She has mainly supported herself and little boy for the past few years. I have heard him abuse her, curse and threaten her.

*Mrs Elizabeth Mayo*

CHARLES T. CLARK, JR., a witness for complainant, having first been sworn to speak the truth, the whole truth and nothing but the truth, at the same time and place, testifies as follows:- I am the son of Mrs. Pearl L. Clark and Charles T. Clark. I am 13 years of age and live with my mama Mrs. Pearl Clark, she works for her living by clerking in Mr. Kahalley's store and I help her by selling papers, working in the drug stores sometime and any other job that I can get to do. I want to live with and be raised by my mama. I have heard my papa curse and abuse my mama lots of times and I saw him strike mama on the side of the face with his fist and have seen him slap her. He was mean to her all the time and mama and myself have to work to help take care of ourselves. He has a bad temper and gets crazy when he is mad. He and my mother go to the Christ Church.

It isn't safe for mama to be home when he gets mad.

Charles H. Clarke Jr.

ORAL EXAMINATION.

I, J. W. Reservoir, as Register and Commissioner hereby certify that the foregoing deposition... on Oral Examination was taken down in writing by me in the words of the witness me and read over to them and they signed the same in the presense of myself And Hon F. S. Stone, Atty for Complainant at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness me or had proof made before me of the identity of said witness me; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 18th day of February 1926  
J. W. Reservoir (L. S.)

NO. 649 PAGE

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Paul & Clara

vs. Complainant

Clarence T. Clark

Respondent.

Oral Deposition

Filed February 18th, 1926

J. W. Reservoir Register.

Recorded in

Record

Vol. Page

, Register

8550 REQUEST FOR DECREE IN VACATION.

MOORE 276 28.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. .... In Vacation ..... Term, 192 .....

PEARL K CLARK ..... , Complainant .....

vs.

CHARLES T CLARK ..... , Defendant .....

To ..... T. W. Richardson ..... , 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 ..... Stone & Stone .....

..... 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.

STONE & STONE

.....  
Solicitor for Complainant.

STATE OF ALABAMA.  
Complainant.

vs.

Hughy Helton and one motor  
boat equiped with 12 Horse-  
power lath rope engine No.  
11659.

Respondents.

In the Circuit Court of

Baldwin County, Alabama.

In equity.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

The State of Alabama by Hubert M. Hall, Deputy Solicitor  
of Baldwin County, Alabama, respectfully represents unto your Honor  
as follows:

FIRST.

That Hubert M. Hall is Deputy Solicitor of Baldwin County,  
Alabama, and as such Deputy Solicitor is authorized under and by virtue  
of Chapter 167, Article 11 of the Code of Alabama of 1923, to file this  
bill for and on behalf of the State of Alabama.

SECOND.

That on or about, to-wit the 20th day of August, 1925, in  
Baldwin County, Alabama, the said respondent, Hughy Helton, being the  
owner and having in his custody and under his control did willfully  
use one motor boat equiped with 12 Horsepower lath rope engine No. 11659  
for the use and purpose of illegally transporting prohibited liquors  
or beverages from one point in Baldwin County, Alabama, to another point  
within said State and County.

THIRD.

That on or about the said date, to-wit the 20th day of  
August, 1925, the said Hughy Helton, being the owner and having in his



custody and under his control did willfully and knowingly use or permit to be used, one motor boat equiped with 12 Horsepower lath rope engine No. 11659 for the purpose of illegally conveying prohibited liquors or beverages from one point in Baldwin County, Alabama, to another point within said State and County.

FOURTH.

That on or about to-wit the 20th day of August, 1925, one motor boat equiped with 12 Horsepower lath rope engine No. 11659 was used for the purpose of illegally conveying prohibited liquors or beverages from one point in Baldwin County, Alabama, to another point within said State and County.

PRAYER FOR PROCESS.

Premises considered the Complainant prays that Hughy Helton be made party respondent to this bill of complaint by the usual process of this Honorable court and that he be required to plead, answer or demur to the same within the time required by law and under the penalties prescribed by law and this Honorable court.

PRAYER FOR RELIEF.

Complainant prays that upon the final hearing of this cause your Honor will adjudge, order and decree that the property described herein be condemned and forfeited to the State of Alabama; that your Honor will make an order or decree directing the sale of such motor boat as above described in accordance with law.

Complainant further prays that your Honor will grant unto it such other, further, different and general relief as it may in equity and justice be entitled to and the Complainant will forever pray, etc.

Hubert H. Hall,  
Deputy Solicitor,  
Baldwin County, Alabama.

FOOT NOTE.

Respondent, Hughy Helton, is required to answer each and every paragraph contained in the foregoing bill of complaint numbered one to four, inclusive, but not under oath. Oath is hereby expressly waived.

Hubert M. Hall,  
Deputy Solicitor,  
Baldwin County, Alabama.

Original Bill

State of Ala

vs  
Hughy Wilton

Filed Sept 15/92  
T W Peilman  
Register

-Circuit Court. Equity Side.

STATE OF ALABAMA.

BALDWIN COUNTY.

State of Alabama. ~~Ex~~ Rel Hubert Hall Esq

Deputy Solicitor vs. Hughey Helton

One Gasoline Launch.

Comes C J Straley who is known to me and who after being by me duly sworn doth depose and say under oath that the gasoline launch siezed in this case as the property of Hughie Helton is not the property of Hughie Helton but is the personal property of affiant C J Straley and is not subject to condemnation.

C. J. Straley  
Claimant.

Subscribed and sworn to

this Dec. 2nd. 1925

W. R. R. R.  
Clerk of the Circuit Court  
and Register in Chancery.

Hughes Helton

Filed Dec 2nd 1925  
D. W. Richman  
Clerk