No. 29 Page	9
THE STATE OF ALABAMA BALDWIN COUNTY CIRCUIT COURT, IN EQUIT	
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#### IN THE CIRCUIT COURT OF BALDWIN COUNTY? ALABAMA.

PEARL L. CLARK Complainant. -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.

6 J. Classe Doft.

587 SUM	MONS—Original.	Gill Ptg. Co., Mobih
Гhe	State of Alabama }	CIRCUIT COURT OF BALDWIN COUNTY, IN EQUITY.
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WE	COMMAND YOU, That you summon	Charles T.Clark
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and fur	ther to do and perform what said Judge shall	l order and direct in that behalf. And this the said Defendant s
	ise omit, under penalty, etc. And we further of said Court immediately upon the execution	command that you return this writ with your endorsement ther thereof.
to our	said Court inimediately upon the eacturion	
- 	WITNESS T W Richerson Resister of said (	Circuit Court, this 16th, day of Decembe
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N. B.--Any party defendant is entitled to a copy of the bill upon application to the Register.

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Original Serve on ... Gircurc for Baldwin County  $\bigcirc$ IngEquity e a No 4 SUMMONS () here Pearl L.Clark, ¢L चेकुराज, Charles T.Clark £ ∏ Stone & Stone . Solicitor for Complainant. Recorded in Vol......Page

THE STATE OF ALABAMA BALDWIN COUNTY Received in office this.... Des day of ... Sheriff. Executed this\_ \_\_\_\_day of 192.5 by leaving a copy of the within summons with 7 Olar Defendant. Sheriff. By. Deputy Sheriff.

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and the te	estimony as noted titled to the relief	by the Registe	r: and, unon c	onsideration th	iereof, the Cou	rt is of opini	on that the Compla
between t	he Complainant a	Drdered, adjud nd Defendant l	ged and decree be, and the sai	ed by the Court me are hereby	, that the bond dissolved, and	is of matrime the Complain	ony heretofore existi ant is forever divore
from the	Defendant.		1		•.		
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PEARL L. CLARK, Complainant,

-VS-

CHARLES T. CLARK. Defendant. IN THE CIRCUIT COURT, EQUITY SIDE, STATE OF ALABAMA, BALDWIN

COUNTY.

### TO THE HONORABLE, THE CIRCUIT COURT, EQUITY SIDE, STATE

OF ALABAMA, BALDWIN COUNTY, AND THE HONORABLE JOHN

D. LEIGH, JUDGE THEREOF, SITTING IN EQUITY:

Comes your Complainant, Pearl L. Clark, and exhibits this, her Bill of Complaint for divorce against the Defendant, Charles T. Clark, and for ground thereof shows unto your Honor and unto this Court as follows:-

FIRST: That both your Complainant and the Defendant are over the age of twenty-one years and are bona fide residents of Bay Minette, Alabama, where they have resided for more than ten years past.

SECOND: That your Complainant and the Defendant were here tofore duly married during the year 1911 and lived together as man and wife until to-wit: about two years age when, on account of the matters hereinafter shown, your Complainant was compelled to live separate and apart from the Respondent.

THIRD: That the Respondent has committed actual violence on Complainant attended with danger to life or health; that his conduct has been such that she has had reason to apprehend the commission of actual violence on her person attended with danger to life or health; that he has threatened to strike; that he has abused her; and that he has struck your Complainant.

### PRAYER FOR PROCESS AND RELIEF:

THE PREMISES CONSIDERED, the Complainant prays that your Honor will issue or cause to be issued all notices and subpoenas necessary to make the said Charles T. Clark party Defendant, requiring him to appear and plea, answer or demur within the time required by law under pains and penalties of this Honorable Court.

That upon the final hearing of this cause, that your Honor will render adjudged and decree that the bonds of matrimony heretoford existing between your Complainant, Pearl L. Clark and the Defendant, Charles T. Clark, be forever dissolved and that your Complainant be again permitted to contract the marriage relation should she so desire.

In duty bound, she will ever pray etc.,

Plart L. Wlark Complainant.

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, Solicitors for Complainant. FORM 6098

# NOTE OF TESTIMONY

## The State of Alahama,

CLARK

vs.

CHARLES T CLARK

Complainant

Respondent

PEARL L

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No. 62/1	

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In Circuit Court, In Equity

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	, an	d upon the	following	testimony,	to-wit:		
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Charles !	Clark Jr.	-	· ·	j.			
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	certify that			Testimony	y is correc	et.	•
ThisI	Sth day d	of Feby	<b>1926</b>	, 19			

No. 5 29 The State of Alahama Baclum County Circuit Court in Equity Quert Lacri Complainant vs. Olun, I Clark Respondent NOTE OF TESTIMONY Filed / The day of Finder, 1926 T Milimon Register Record Page...

M Ptg Co., Bay Minette

The State of Alabama, Baldwin County.	Circuit Court of Baldwin County, Alabama (In Equity.)
	Complainant.
	VS.
Charles T Clark	Respondent.
I TW Richerson	· · · · · · · · · · · · · · · · · · ·
as Register and Commissioner	· · · · · · · · · · · · · · · · · · · ·
have called and caused to come before me	Pearl L Clark , Charles Thomas Clark Jr
and Elizabeth Mayo	• • • • • • • • • • • • • • • • • • • •
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witness es named in the Requirement for Oral	Examination, on the 18day of Feby - 1926
192, at the office of	
in Alabama, a	nd having first sworn said witnessto speak the
•	th, the said Pearl L Clark
doth depose	
*******	the complainant in the divorce suit
	arles T, Clark, both of us are pver
the age of 21 years and are now.	and have been for more then three
	, the filing of the complaint in this
	ldwin County, Alabama, residing at
	ried to <sup>C</sup> harles T. Clark during the
year 1911 and lived with him as	his wife until December, 1923, when
	account of his cruel treatment. He person by striking me with his fist
	ne slapped me several times. He has
	beating me and has often threatened
to beat me up or strike me. By J	reason of his conduct and knowing his
uncontrollable temper I was afre	aid to live with him any longer and
feared danger from him to my li	fe or health. Since being compelled
to leave him I have supported m	yself 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 up	on my own efforts and that of my little
	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. Pland & Ward

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 to gether 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 She has mainly supported herself and little boy for the past a man. I have heard him abuse her few years. curse and threaten her.

Olinabeth. -D..... 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 I have heard my papa want to live with and be raised by my mama. 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. 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 Hurch.

	It isn't safe for mama to be home when he gets mad.
	Charles, & clarke gr.
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ORAL EXAMINATION.

Meeting, 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 *M* and read over to *Thum* and *Thuy* signed the same in the presense of myself *Qual 14mm 7.5 Slowe*, *Thuy for Complement* at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness *M* or had proof made before me of the identity of said witness *M*; 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 \_\_\_\_\_\_ day of \_\_\_\_\_ eng 192 le r Reclumon (L. S.)

<u></u>۷٥١, . . . Z CIRCUIT COURT, IN THE STATE OF ALABAMA BALDWIN COUNTY ral Deposition - - - - - -Recorded in  $\nabla S$ PAGE Page -Complainant Respondent. EQUITY ļ K Register. Register Record



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.

NI & STOM . Juant Solicitor for Complainant.

In the Circuit Court of

Baldwin County, Alabama.

In equity.

STATE OF ALABAMA. Compleinent.

TS.

Hughy Helton and one motor boat equiped with 12 Horsepower lath rope engine No. 11659.

Respondents.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF CIRCUIT COURT OF BALDNIN 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.

### SECOLD.

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. 11859 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 M. 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.

Origenal Bill Statiof ala Aughy Willon Filed Cept 15/925-DWRiewown 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.

Claimant.

Subscribed and sworn to

this Dec. 2nd. 1925

eur Clerk of the Circuit Court

and Register in Chancery.

