

3401

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Frances Clark

Complainant

VS.

William N. Clark

Respondent

I, Frances G. Crawford,

as Register and Commissioner

have called and caused to come before me Frances Clark

witness named in the Requirement for Oral Examination, on the 9th day of November

1954, at the office of E. A. Cramer, Attorney,

in Fairhope

, Alabama, and having first sworn said Witness to speak the

truth, the whole truth, and nothing but the truth, the said Frances Clark

doth depose and say as follows:

I am 38 years old and my husband, William, is 48. We were married, for the second time, on November 10th 1953 at Pascagoula, Mississippi. We had been married for a number of years previously and I secured a divorce based on the grounds of cruelty. After the divorce, Bill pleaded with me for another chance, stating that he would stay sober and would never mistreat me again. After many meetings with him, I decided that I would give him another chance and prayed that he had reformed and would be a sober husband. ~~It did not work out.~~ It did not work out. It wasn't two months after we remarried before he began to drink heavily again and, in that condition, he was brutal and cruel to me. When I taxed him with his failure to live up to his promises, he would fly into drunken rages and then he began to beat me again. I lost track of the number of time that he punched me around so that I would have to fly for my life to prevent him from injuring me seriously or, perhaps, killing me. Finally, in May of 1954, I could not stand any more of his treatment and during one of his sober intervals, he agreed that there was no use in trying to continue the trvesty. He left the house and went to live with his people temporarily, as he said. He has not been back since then and has not contributed anything as support. Both of us have been residents of Baldwin County, Alabama, for more than five years. Now, I want nothing from him but to be free of him and his treatment. I am afraid to ever live with him again.

Frances Clark

ORAL EXAMINATION

I, Frances G. Crawford, as Register and Commissioner hereby certify that the foregoing deposition... on Oral Examination was taken down by me in writing in the words of the witness... and read over to her and she signed the same in the presence of myself... at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness...; 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 9th day of November, 19 54.

Frances G. Crawford (L. S.)

No. 3401 Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

vs. Complainant

Respondent

Oral Deposition

Filed _____, 19____

FILED

NOV 10 1954

Recorded in

ALICE J. BUCK, Register

Record

Vol. _____ Page _____

Register

Frances Clark
Complainant

Circuit Court

vs

Baldwin County

William N. Clark
Respondent

Alabama

In Equity

To the Honorable Hubert M. Hall, Judge of said Court, sitting in Equity;

Comes Frances Clark and exhibits this, her Bill of Complaint against William N. Clark and respectfully shows unto Your Honor as follows;

First: Complainant, whose age is 38 years, and Respondent, whose age is 48 years, intermarried November 10th 1953 at Pascagoula, Mississippi.

Second: The parties hereto had been married and divorced previous to said marriage.

Third: Shortly after said marriage set forth in Paragraph the First hereof, Respondent did commit acts of physical violence upon the person of Complainant and, from his conduct, it appeared that he would continue so to do, so as to put Complainant in fear of her life, limb and health.

Fourth: In May of 1954, because of the acts hereinabove complained of, the parties hereto did separate and have remained apart ever since.

Fifth: Both parties hereto have been bona fide residents of Baldwin County, Alabama, for more than five years and continue to reside therein.

The premises considered, Complainant hereby prays that Respondent, William N. Clark, be, by all due and appropriate process, made party defendant to the within suit, that he be compelled to plead, answer or demur to the several paragraphs hereof within the time prescribed by law and that he be compelled to abide and obey all orders and decrees made in the premises.

Complainant further prays, upon a hearing of this cause, that a decree be granted forever divorcing her from said William N. Clark and granting her such other, further, different and general relief as, in Equity, may be meet and proper.

E. A. Cramer
Solicitor for Complainant

Frances Clark
Complainant (Frances Clark)

FILED

11-10-54

ALICE J. DUCK, Clerk

FRANCES CLARK
Complainant

vs

WILLIAM H. CLARK
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

This cause coming on to be heard upon the sworn petition of Frances Clark, now Frances Clark Lucassen, the mother of Sherry Clark, a minor, and it appearing to the Court that the custody of said child awarded to the petitioner by this Court, and it further appearing to the Court that it is in the best interest of the child that she be returned to the mother. And it appearing to the Court that its jurisdiction has been evoked by the filing of said petition and that said minor child is illegally detained in the custody of William H. Clark, in Cullman, Alabama, it is therefore,

ORDERED AND DECREED by the Court that Frances Clark Lucassen shall be restored to custody of said minor child, Sherry Clark, and that the said Frances Clark Lucassen shall have custody of said minor child pending other orders of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Sheriff of Baldwin County, Alabama, or any other Sheriff of any county in which the minor child, Sherry Clark, can be found, forthwith take the child into custody and care and deliver her to the Sheriff of Baldwin County, Alabama, who should deliver her to the mother Frances Clark Lucassen.

IT IS FURTHER ORDERED that a copy of this order should be the authority of any Sheriff of any county to whom these orders be committed for the action in the premises.

Done in Bay Minette, Alabama, this 1st day of Sept, 1955

I, Alice J. Duck, 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 above stated cause, which said decree is on file and enrolled in my office.

WITNESS MY HAND AND SEAL THIS THE 1st day of Sept 1955

Alice J. Duck
Register of Circuit Court, in Equity

Hubert M. Hall
Circuit Judge

(~~3401~~) 3401

FRANCES CLARK
Complainant

VS

William N. Clark
Respondent

ORDER

Received in Sheriff's Office
this 1st day of Sept, 1955
TAYLOR WILKINS, Sheriff

Executed by delivering the
within named child to Francis
Clark Lucasen

Taylor Wilkins
Sheriff

Frances Clark

vs.
William N. Clark

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Testimony of Complainant and Witness

and in behalf of Defendant upon Answer & Waiver

Allice J. Duck
Register.

F. A. Cramer

No. 3401.....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Clark

vs.

Clark

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED

NOV

10 1954

Register.

Printed by the Baldwin County Register

ALICE J. DICKS, Register

FRANCES CLARK,
Complainant

vs.

WILLIAM N. CLARK,
Respondent

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

VERIFIED PETITION

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA

IN EQUITY SITTING:

1. Comes now your Petitioner, Frances Clark, now Frances Clark Lucassen, and respectfully shows unto the Court that on, to-wit, the 10th day of November, 1954 this Honorable Court rendered a decree divorcing your Petitioner from William N. Clark.

2. That in the said proceedings of the Court and by agreement of the parties thereto, the Court ordered that the Complainant, your Petitioner, shall have the custody and control of the children of that marriage, Robert M. Clark, Ronald M. Clark and Sherry Clark, except that Respondent shall have the right to such custody and control during school vacations and other vacations.

3. That the Respondent, William N. Clark, has had custody of the children by reason of the proceedings in this Court and still has custody of the child, Sherry Clark, and is illegally detaining the said child at the home of Inez Hartung in Cullman, Alabama. That the school vacation has terminated in that schools in Baldwin County opened on the 26th day of August, 1955 and that the legal custody of the said William N. Clark terminated on that date.

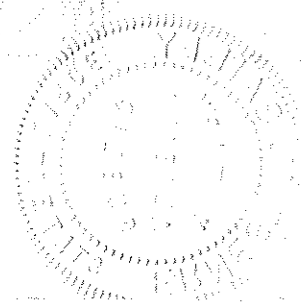
4. That your Complainant has made demand of William N. Clark to return the child Sherry Clark to her custody in accordance with the proceedings and decree of this Court. That the said William N. Clark refuses to return the child and your Petitioner respectfully represents that the detention and withholding of her minor child Sherry Clark is unlawfully and in violation of her rights.

5. The premises considered, your Petitioner, Frances Clark Lucassen, prays this Court to make an order and decree commanding the said William N. Clark to bring the body of Sherry Clark before Your Honor so that the custody of said Sherry Clark may be placed in her in accordance with her rights and your Petitioner will ever pray, etc.

Frances Clark Lucassen
Frances Clark Lucassen
Petitioner

Sworn to and subscribed before
me this 29th day of August, 1955.

Hubert M. Bailey



Office of the Register of Wills

REGISTER OF WILLS

... of the State of Maryland, Department of the State, Office of the Register of Wills, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on the 29th day of August, 1955.

... of the State of Maryland, Department of the State, Office of the Register of Wills, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on the 29th day of August, 1955.

~~3586~~ 3401
~~3401~~

VERIFIED PETITION

FRANCES CLARK,
Complainant
vs.
WILLIAM N. CLARK
Respondent

FILED
AUG 29 1955

ALICE J. DUCK, Register

REGISTER OF WILLS

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REGISTER OF WILLS

Frances Clark)	Circuit Court
Complainant)	
)	Baldwin County
vs	O	
)	Alabama
William N. Clark)	
Respondent)	IN EQUITY

Comes William N. Clark, Respondent in the above titled cause and, for answer to the Bill of Complaint therein, states that he denies each and every allegation therein contained.

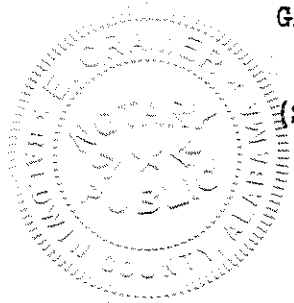
Further, said Respondent hereby waives the right to demand for and the issuance of formal commission to take testimony, the right to introduce evidence in his own behalf or to cross examine Complainants' witnesses and agrees that the within cause may be submitted for final decree at any time without further notice to him and upon Complainants' pleadings and evidence as noted by the Register of Your Honorable Court.

William N. Clark
William N. Clark

State of Alabama, Baldwin County, ss

(known to me),
 Personally appeared William N. Clark, Respondent in the within cause and he acknowledged that he executed the foregoing answer and waiver voluntarily with full knowledge of the contents of the Bill of Complaint and of the purposes thereof.

Given under my hand and seal this 8th day of November 1954.



(Seal)

E. Cramer
Notary Public, Baldwin County
 Alabama

FILED

11-10-54

ALICE J. DUCK, Clerk