

UNDER TEXAS UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT

BARBARA ARD

Petitioner

3891

VS.

NO. 43563-CWILLIAM JACKSON ARD

Respondent

THE UNDERSIGNED, a Judge of the Criminal District Court of Jefferson County, Texas, hereby certifies:

1. That on the 2nd day of October 1956 a petition was duly filed in this Court in a proceeding against the above named Respondent commenced under the provisions of the Texas Uniform Reciprocal Enforcement of Support Act (Chapter 377, Laws of 1951) to compel the support of the dependent named in that Petition.
2. THAT a summons duly issued out of this Court for service upon the above named Respondent has been duly returned with an affidavit to the effect that the Respondent cannot, with due diligence, be located or served with such process in the State of Texas.
3. THAT the above named Respondent is believed to be residing or domiciled in Box 224, Robertsdale, Alabama
4. THAT the undersigned, Judge of the Criminal District Court of Jefferson County, Texas, has examined the Petitioner under oath and she has reaffirmed the allegations contained in the Petition; that according to the testimony of the Petitioner the needs of the dependent named in the Petition for support from the Respondent are the sum of \$ 30.00 per (week) (~~Month~~)
5. THAT in the opinion of the undersigned Judge the Respondent should be compelled to answer such Petition and be dealt with according to law,

WHEREFORE, it is hereby ORDERED that this certificate, together with the exemplified copies of the Petition and Summons be transmitted to Circuit Court **Sitting in Equity**

~~Baldwin County, Bay Minette, Alabama~~
City State

Dated October 2, 1956Owen M. Lord

Judge of the Criminal
District Court,
Jefferson County, Texas.

STATE OF TEXAS

UNDER TEXAS UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT

BOOK 022 PAGE 30

~~BARBARA ARD~~
Petitioner

VS

~~WILLIAM JACKSON ARD~~
Respondent

TESTIMONY OF

~~BARBARA ARD~~ Petitioner

NO 43563-C

~~BARBARA ARD~~ the Petitioner

herein being duly sworn on her oath testifies as follows:

Q What is your full name?

A Barbara Ard.

Q Are you married to the Respondent?

A Yes.

Q When and where were you married to him?

A We were married in Lucedale, Mississippi on December 30, 1955.

Q Were any children born of this marriage?

A Yes, one.

Q What are their names and ages?

A Deborah Elizabeth Ard is seven weeks old.

Q Are you still the wife of the Respondent?

A Yes.

Q Where are you now living?

A I am living at 2211 Ave C., Nederland, which is my brother's home. I came here 3 weeks ago for a visit, and my husband wrote and told me not to come back, as he was filing for a divorce.

Q When was it your husband last lived with you?

A About three weeks ago.

Q When and how much was his last contribution for support?

A He supported me until I came down here, about three weeks ago. He has sent nothing. He never did even pay the doctor bill when the baby was born.

Q Is there a complaint or an order for support in any court?

A No.

Q If employed, what are your earnings?

A I do not work at the present time. I plan to.

Q Have you any other source of income?

A No. I am completely dependent upon my family.

Q Are you and your children in good health?

A

Q Have you any debts outstanding?

A

I owe \$54.00 for the doctor bill.

Q. What do you require for the support of yourself and the children?

A. I need at least \$30.00 per week for the child and myself until I can start to work, and will need that much even after I start to work, to catch up on the doctor bills, etc.

Q. Do you know where your husband is now living?

A. I know that he lives in Robertsdale, Alabama. His address is Box 224.

Q. Do you know if and where your husband is now employed?

A. I think he is still working at Woodhaven Dairy in Robertsdale, Alabama.

Q. What is his salary, if you know?

A. I think he earns \$50.00 per week, plus a commission.

Q. Are you now receiving public aid; if so, how much?

A. No.

Q. Give an accurate physical description of the Respondent (color of hair, distinguishing marks, age, etc.) describe other names and aliases by which he is known and attach a recent photograph or snapshot of the Respondent.

A. He is six feet tall; weighs about 145 pounds. Has medium brown hair, greenish eyes; has perfect white teeth.

Barbara Ard

Petitioner

Taken and sworn to before me

this 2nd day of October 19 56

Joan Chaney Burnett

Notary Public in and for
Jefferson County, Texas.

(seal)

IN THE CRIMINAL DISTRICT COURT
JEFFERSON COUNTY, TEXAS

BOOK 002 PAGE 32

| | SEX | AGE | COLOR | RELI- | NATIVITY | ADDRESS |
|--|-----|-----|-------|-------|----------|-----------------------------------|
| | | | | GION | | |
| BARBARA ARD Petitioner..... | F | 17 | White | Bapt. | Texas | 2211 Avenue C Nederland, Texas |
| VS. | | | | | | |
| WILLIAM JACKSON ARD Respondent..... | M | 19 | White | Meth. | Alabama | Box 224, Robertsdale, Alabama |

TO THE CRIMINAL DISTRICT COURT OF JEFFERSON COUNTY, TEXAS:

THE PETITION OF Barbara Ard respectfully shows:

1. THAT she is the wife of William Jackson Ard, the Respondent;
The Petitioner was duly married to said Respondent on or about
December 30, 19 55, at Lucedale, Mississippi
No. Street

City, Town, or Village _____ State _____
and now resided at 2211 Avenue C, Nederland, Texas

2. That Petitioner is the mother and said Respondent is the father
of the following named dependent _____
1. Deborah Elizabeth Ard born August 11 19 56
 2. _____ born _____ 19 _____
 3. _____ born _____ 19 _____
 4. _____ born _____ 19 _____
 5. _____ born _____ 19 _____
 6. _____ born _____ 19 _____

3. That Petitioner and said child _____ (~~is~~ - are) in need of and
(~~is~~ - are) entitled to support from the Respondent under the
provisions of the Texas Uniform Reciprocal Enforcement of Support Act,
(Chapter 377, Laws of 1951),

4. That Respondent, on or about September, 19 56
and subsequent thereto, refused and neglected to provide fair and
reasonable support for petitioner and the other dependent _____
according to his means and earning capacity;

5. THAT, upon information and belief, Respondent now is residing or domiciled at Box 224, Robertsdale,
Street City
State Alabama

which State has enacted a law substantially similar and reciprocal to the Texas Uniform Reciprocal Enforcement of Support Act (Chapter 377, Laws of 1951).

WHEREFORE, the Petitioner prays for such an Order for Support, directed to said Respondent, as shall be deemed to be fair and reasonable, and for such other and further relief as the law provides.

Barbara Ard
Petitioner

STATE OF TEXAS)
COUNTY OF JEFFERSON)

Barbara Ard, being duly sworn, says that she is the Petitioner herein, and that she has read the foregoing Petition, and knows the contents thereof; and that the same is true of her own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters she believes it to be true.

Barbara Ard
Petitioner

Sworn to before me this
2nd day of October 19 56

Joan Chaney Burnett
Notary Public in and for
Jefferson County, Texas.
(seal)

NO. _____

~~BARBARA ARD~~

PETITIONER

§

IN THE CRIMINAL DISTRICT

VS.

§

COURT OF

~~WILLIAM JACKSON ARD~~

RESPONDENT

§

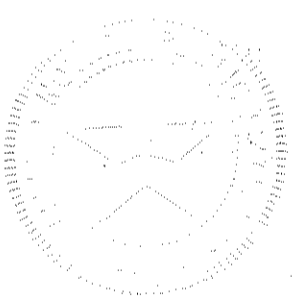
JEFFERSON COUNTY, TEXAS

NOW COMES ~~BARBARA ARD~~, Petitioner, in the above entitled and numbered cause, being duly sworn, says that she is too poor to pay the costs of Court and is unable to give security therefor.

Barbara Ard

Sworn to and subscribed before me on this the 2nd day of

~~October~~ A.D. 19 56



Jean Harvey Burnett

Notary Public in and for
Jefferson County, Texas.

PART I - GENERAL PROVISIONS

Section 1. Purposes. The purposes of this Act are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

Sec. 2. Definitions. As used in this Act unless the context requires otherwise:

(1) "State" includes any state, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted;

(2) "Initiating state" means any state in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced;

(3) "Responding state" means any state in which any proceeding pursuant to the proceeding in the initiating state is or may be commenced;

(4) "Court" means the district court of this State and when the context requires, means the court of any other state as defined in a substantially similar reciprocal law;

(5) "Law" includes both common and statute law;

(6) "Duty of support" includes any duty of support imposed or imposed by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, judicial (legal) separation, separate maintenance or otherwise; but shall not include alimony for a former wife.

(7) "Obligor" means any person owing a duty of support;

(8) "Obligee" means any person to whom a duty of support is owed.

Section 2-A. State Information Agency. The State Department of Public Welfare of Austin, Texas, is hereby designated as the State Information Agency under this Act. It shall be the duty of the State Information Agency to cooperate with other State Information Agencies in all other states having adopted this or a substantially similar Act by compiling and distributing information which will be beneficial to other states and to the courts of this State in the administration of this Act."

Sec. 3. Remedies Additional to Those Now Existing. The remedies herein provided are in addition to and not in substitution for any other remedies.

BOOK 002 PART 37

Sec. 4. Extent of Duties of Support. The duty of support imposed by the laws of this State or by the laws of the state where the obligee was present when the failure to support commenced as provided in Section 7 and the remedies provided for enforcement thereof, including any penalty imposed thereby, bind the obligor regardless of the presence or residence of the obligee.

PART II - CRIMINAL ENFORCEMENT

Sec. 5. Interstate Rendition. The Governor of this State (1) may demand from the Governor of any other state the surrender of any person found in such other state who is charged in this State with the crime of failing to provide for the support of any person in this State and (2) may surrender on demand by the Governor of any other state any person found in this State who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provisions for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this Section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or the other state.

Sec. 6. Relief From the Above Provisions. Any obligor contemplated by Section 5, who submits to the jurisdiction of the court of such other state and complies with the court's order of support, shall be relieved of extradition for desertion or non-support entered in the courts of this State during the period of such compliance.

PART III - CIVIL ENFORCEMENT

Sec. 7. What Duties are Enforceable. Duties of support enforceable under this law are those imposed or imposable under the laws of any state where the alleged obligor was present during the period for which support is sought or where the obligee was present when the failure to support commenced, at the election of the obligee, but shall not include alimony for a former wife.

"Section 8. Remedies of a State or Political Subdivision Thereof Furnishing Support and Filing Fees. Whenever the State or a political subdivision thereof has furnished support to an obligee it shall have the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditures so made.

"When the Petition is filed in the District Court of this State, it shall be accompanied by a filing fee or a pauper's affidavit which the Court may in its discretion accept in lieu of the filing fee; provided,

however, that the Court of this State, acting either as an initiating or responding State, may in its discretion, direct that any part of or all of the fees or costs incurred in this State shall be paid by the county. Where the action is brought by or through the State or an agency thereof, there shall be no filing fee."

Sec. 9. How Duties of Support are Enforced. All duties of support are enforceable by petition irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the district court.

Sec. 10. Contents of Petition for Support. The petition shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information.

"Section 11. Duty of Court of This State as Initiating State. If the Court of this State acting as an initiating State finds that the Petition sets forth facts from which it may be determined that the defendant owes a duty of support and that a Court of the responding state may obtain jurisdiction of the defendant or his property, he shall so certify and shall cause three (3) certified copies of the Petition, the certificate and an authenticated copy of this Act to be transmitted to the Court of the responding state."

"Section 12. Duty of the Court of This State as Responding State. When a Court of this State, acting as a responding state, receives from the Court of an initiating state the aforesaid copies referred to in Section 11, it shall (1) docket the cause, (2) notify the District or County Attorney, (3) set a time and place for a hearing, and (4) take such action as is necessary in accordance with the laws of this State to obtain jurisdiction. The District or County Attorney upon being notified of the receipt of the Petitions shall represent the plaintiff in any proceeding under this Act and shall be responsible for the presentation of the Petition and all material evidence to the Court."

Sec. 13. Order of Support. If the court of the responding state finds a duty of support, it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order.

Sec. 14. Responding State to Transmit Copies to Initiating State. The court of this State when acting as a responding state shall cause to be transmitted to the court of the initiating state a copy of all orders of support or for reimbursement therefor.

Sec. 15. Additional Powers of Court. In addition to the foregoing powers, the court of this State when acting as the responding state has

Sec. 20. Severability. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

THE STATE OF TEXAS

Secretary of State

I, ROGER TYLER, Assistant Secretary of State of the State of Texas, DO HEREBY CERTIFY, that the above and foregoing is a true and correct copy of the Statutes of the State of Texas pertaining to the Uniform Reciprocal Enforcement of the Duties of Support.



IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this

28th day of June, A.D. 1954.

Roger Tyler
Assistant Secretary of State

23 November 1956

Mr Jim Hendrick
Attorney at Law
Robertsdale, Alabama

Re: Barbara Ard, Petitioner,
Vs.
William Jackson Ard,
Respondent

Dear Jim:

Inclosed herewith is a copy of the proposed order or decree for Judge Hall's signature in above styled case. Will you please examine it and if you approve as is written I shall present the original to him for his signature. As I recall, the date of the hearing is supposed to be as of 21 November, 1956, but I do not recall when we agreed as to the exact date for the first payment to commence. Will you supply that date.

Please advise earliest so that I can get the Judge's signature as soon as possible.

Sincerely yours,

K.C.
Kenneth Cooper
Solicitor

1 incl.

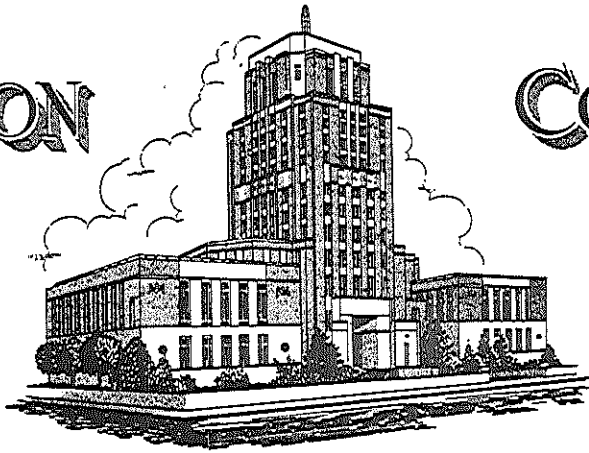
26 Nov. 56
Jim Hendrick personally
contacted me & said decree
OK; he had shown it to Ard.
K.C.

JEFFERSON

COUNTY

FRANK M. ADAMS, FIRST ASSISTANT

JAMES S. McGRATH, ASSISTANT
ALFRED DUPERIER, ASSISTANT
JOHN R. DEWITT, ASSISTANT
W. T. WOOD, JR., ASSISTANT
W. C. LINDSEY, ASSISTANT
O. C. EVERITT, INVESTIGATOR
W. P. HAYES, INVESTIGATOR



DOMESTIC RELATIONS
MISS NATALIE HEGDAL

SUB COURTHOUSE
PORT ARTHUR, TEXAS
CHESTER C. YOUNG, ASSISTANT

OFFICE OF CRIMINAL DISTRICT ATTORNEY
RAMIE H. GRIFFIN
BEAUMONT, TEXAS

October 9, 1956

Circuit Solicitor
Baldwin County
Bay Minette, Alabama

Re: No. 43563-C
Barbara Ard vs. William Jackson Ard

Dear Sir:

I am enclosing copies of our papers filed here under the Reciprocal Enforcement of Support Law for the above petitioner. I am mailing the certified copy to your Clerk of the Court today. Will you please represent our client's interests in this proceeding in your Circuit Court Sitting in Equity.

These papers are sent pursuant to your advice to Mrs. Ard after she wrote you in September of 1956. She advises me that she doesn't really know the cause of separation unless it is that he doesn't want responsibility. She would prefer to try to make a go of the marriage if possible. According to her statement, her husband promised her that he would send the money for the doctor bill if she would sign a waiver of service in a divorce action he plans to file the end of October. This petitioner is much in need of financial help, especially for medical expenses and any help you can give her will be greatly appreciated.

Will you be kind enough to see that we receive a copy of the Court's order.

We are grateful to your office for your time and assistance and if we can furnish additional information please let us know.

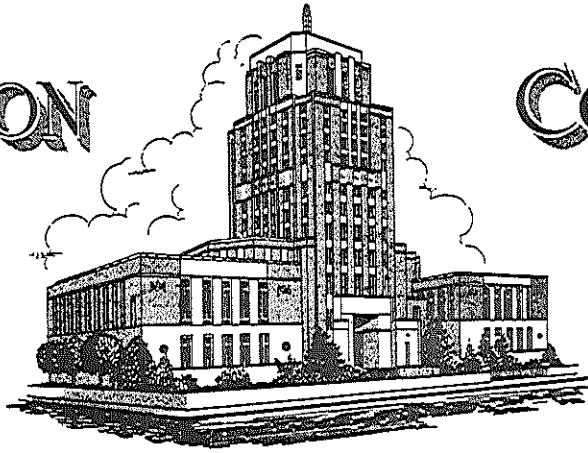
Very truly yours,

Natalie Hegdal

Natalie Hegdal
Assistant District Attorney

JEFFERSON

COUNTY



FRANK M. ADAMS, FIRST ASSISTANT

JAMES S. McGRATH, ASSISTANT
ALFRED DUPELIER, ASSISTANT
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W. P. HAYES, INVESTIGATOR

DOMESTIC RELATIONS
MISS NATALIE HEGDAL

SUB COURTHOUSE
PORT ARTHUR, TEXAS
CHESTER C. YOUNG, ASSISTANT

OFFICE OF CRIMINAL DISTRICT ATTORNEY
RAMIE H. GRIFFIN
BEAUMONT, TEXAS

October 9, 1956

Clerk of the Circuit Court
Sitting in Equity
Baldwin County
Bay Minette, Alabama

Re: No. 43563-C
Barbara Ard vs. William Jackson Ard

Dear Sir:

We are enclosing herewith an authenticated certified copy of a petition relating to the RECIPROCAL ENFORCEMENT OF SUPPORT LAW, our Judge's Certificate, and an authenticated copy of the related law of the State of Texas. We are sending copies of these papers to your Circuit Solicitor.

Will you please see that this cause is docketed; that the proper person to represent the petitioner is notified; that a time and place for hearing is set; and take such action as is necessary in accordance with the laws of your state to obtain jurisdiction.

Then will you please transmit to us a copy of all orders of support which you make. Support payments should be sent to the Jefferson County Child Support Office, Room 203, Courthouse, Beaumont, Texas.

Thank you so much for your time and courtesy to help our client.

Very truly yours,

Natalie Hegdal
Natalie Hegdal
Assistant District Attorney

NH/jb

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Equity Division

Case No. 3891

BARBARA ARD,

Petitioner,

Vs.

WILLIAM JACKSON ARD,

Respondent.

This cause came on to be heard this 21 th day of November, 1956, upon the petition filed in accordance with the provisions of the Uniform Reciprocal Enforcement of Support Act from the State of Texas, County of Jefferson; the Respondent having been duly served with Civil Process according to Law and appearing by counsel upon the evidence, and on consideration thereof, the Court finds that there is a duty of Support owing by the Respondent to his minor child, Namely, Deborah Elizabeth Ard, born August 11, 1956, now residing at 2211 Avenue C, Nederland, Texas.

It is therefore Ordered, Adjudged and Decreed that the Respondent, William Jackson Ard, pay the sum of twelve dollars and fifty cents (\$12.50) per week, payable every other week, for the support of his minor child through the Clerk of this Court, Mrs Alic J. Duck, until further order of this Court. The first payment to commence December 2nd, 1956. The Clerk of this Court will transmit such support payments to the District Clerk, Jefferson County, Beaumont, Texas.



Hubert M. Hall

Judge, Circuit Court

FILED

NOV 28 1956

ALICE J. DUCK, Register

ALICE J.

3891
JEFFERSON

COUNTY

FRANK M. ADAMS FIRST ASSISTANT
JAMES S. McGRATH ASSISTANT
ALFRED DuPERIER ASSISTANT
JOHN R. DeWITT ASSISTANT
W. T. WOOD, JR. ASSISTANT
THOMAS A. THOMAS ASSISTANT
JIM VOLLERS ASSISTANT
O. C. EVERITT INVESTIGATOR
W. P. HAYES INVESTIGATOR



DOMESTIC RELATIONS
MISS NATALIE HEGDAL
SUB COURTHOUSE
PORT ARTHUR, TEXAS
CHESTER C. YOUNG, ASSISTANT

OFFICE OF CRIMINAL DISTRICT ATTORNEY
RAMIE H. GRIFFIN
BEAUMONT, TEXAS

February 6, 1958

Kenneth Cooper
Circuit Solicitor
28th Judicial Circuit
Bay Minette, Alabama

Re: Barbara Ard, Vs.
William Jackson Ard
Your No. 3891
Our No. 43563-C

Dear Mr. Cooper:

I am writing to advise you that a divorce has been granted in the above styled cause in this County, and under the divorce the child support was set at \$50.00 per month rather than \$12.50 per week. You might wish to modify the Reciprocal Order so that the two will be alike. This represents a small reduction for Mr. Ard.

According to the Child Support Records the last payment that has been received from Mr. Ard was on October 30, 1957. Under the Reciprocal Order from the date of entry to the date the divorce was granted he is \$331.60 behind.

We would appreciate it very much if you would do what ever you can to get him to bring his account up to date and make regular payments of \$50.00 per month in the future.

Yours very truly,

Natalie Heggdal
NATALIE HEGDAL
Assistant Criminal
District Attorney

NH:lk