

Equity No. **65388**

*Clarkson,*  
*Clarkson*  
— 4 —

Equity No. **65388**

LEWIS M. CLARKSON  
4801-4th Street, N.W.  
Washington, D. C.

Plaintiff,

vs.

MERCEDES QUINTANA CLARKSON  
Miraflores, , Lima, Peru,  
South America

Defendant,

65388

Equity No. \_\_\_\_\_

FILED

SEP 13 1937

BILL OF COMPLAINT FOR ANNULMENT

The bill of complaint of Lewis M. Clarkson respectfully  
shows to the Court as follows:

1. That he is an adult citizen of the United States, a resident of the District of Columbia, and has been such resident for more than two years last past.

2. That the defendant is a citizen of the Republic of Peru, South America, and that she is a non-resident of the District of Columbia, her last known place of residence to the plaintiff being Miraflores, Lima, Peru.

3. The Plaintiff says that in about the month and year of December, 1922 he went to Lima, Peru, South America, as an employee of an american coporation; that sometime during the month of December 1924, he became acquainted with a native Peruvian woman by the name of Senora Mercedes de la Quintana Viuda de Ludewig, the defendant herein; that the said woman was a person of bad reputation and was commonly known to be involved in Peruvian political intrigues and to be supported by various prominent Government officials, including the then president of the Republic, Augusto, B. Leguia; that the plaintiff visited the said woman at her home on one or two occasions in December of 1924. And the plaintiff says that during the month of January or February, 1925, he was visited by a representative of the said Augusto B. Leguia, who informed him that the said

President of the Republic desired to see the plaintiff the following day. Upon the following day the plaintiff called upon the said President and was informed that the defendant, Senora Mercedes was pregnant and that he, Augusto B. Leguia, desired the plaintiff to marry her, for the reason that he considered it necessary to protect her in this manner. And the plaintiff says that when he indicated his unwillingness to marry the said Senora Mercedes, the said Leguia informed him that if he did not marry her he would be "accidentally" shot; that when the plaintiff expressed it as his belief that such a marriage, procured by duress, fraud and force would be invalid, he was informed that that was of no consequence, that he was in Peru and would either follow the orders of Leguia or take the threatened consequences. And the plaintiff says that about one week following this said conversation with Leguia, he was formally notified that a date in March, to-wit, the 9th day of March, 1925, had been selected as the date of his marriage to the defendant, and that if the plaintiff did not appear or attempted to leave the Country he would be killed; that about seven o'clock of the said 9th day of March, 1925, four armed secret service men called at the plaintiff's home, informed him that they had been sent to "escort" the plaintiff to the church, and when the plaintiff and his escort arrived in the said church, the said Leguia, together with his personal military escort, were present; that the plaintiff strongly protested against the extraordinary and unlawful procedure, but the said Leguia ordered the ceremony to take place, and again threatened him with injury or death. And the plaintiff says that because he feared for his life, and because he was thus under extreme and unusual duress and force, he had no other recourse but to proceed with the marriage. He denies that he at any time had relations with the defendant, and denies that he was the father of her unborn child, and could not have been responsible for her pregnant condition. And the plaintiff says

that on, to-wit, the 9th day of March 1925, he and the defendant were married at Lima, Peru, and he alleges that the said marriage was brought about and procured by force, duress, and fraud, and is, therefore, an invalid marriage.

4. The plaintiff says that at no time following the said marriage ceremony did he and the defendant reside together as man and wife, and that two or three months following the said marriage a child was born to the defendant, and about two or three months following the birth of the said child, the defendant and the plaintiff separated, and did not thereafter reside together at any time. And the plaintiff says that following the said marriage he did not at any time co-habit with the defendant as man and wife, and that both during and after the separation in the summer of 1925, the said defendant carried on constant associations with various Peruvian Government officials, and others including the said Augusto B. Leguia.

5. The plaintiff says, upon information and belief, that during the month of, to-wit, April, 1926 another child was born to the defendant, which said child was not and is not the child of the plaintiff; that following the aforesaid marriage the said President Leguia on many occasions attempted to induce the plaintiff to become a citizen of Peru and to accept a governmental position at a high salary, which the plaintiff at all times refused to do; that the plaintiff was at all times in fear of his life, and he was familiar with various incidents of the sudden disappearance of enemies of Leguia who were never again heard from; and the plaintiff says that during the month of November, 1926, he persuaded the said Leguia that he, the plaintiff, might be able to secure aid with the government of the United States for Leguia in connection with a certain land dispute then pending between Peru and Bolivia, and that in February 1927, the said Leguia gave the plaintiff his permission

to come to the United States for this purpose; that before permitting him to leave the Country, however, the said Leguia forced the plaintiff, by military escort, to go to the office of the American Consul at Lima and register the two children of the defendant as the children of the plaintiff, although neither of said children was a child of this plaintiff, and the plaintiff says in this manner he was permitted to and did, in February, 1927, return to the United States, where he has resided since that time.

5. The plaintiff says further that he did not institute any action prior to the present time to have the said marriage annuled, because during the month of December, 1928, he was advised by friends, residing in Lima, Peru, that the defendant had died; and he says that he at no time has had any communication with the defendant since leaving Peru, and that he has learned within the past few weeks, and upon information and belief, alleges that the said defendant is still living; and he also alleges, upon information and belief, that a third illegitimate child has been born to the said defendant since the departure of the plaintiff from Peru, and that the plaintiff is not the father of said child.

WHEREFORE, plaintiff respectfully prays:

1. That an order of publication be issued out of this Court, directing the defendant to be and appear herein upon a day certain and answer the exigencies of this bill of complaint; or that the said defendant may be personally served with process of this Court by substituted service under the rules of this Court.

2. That upon final hearing of this cause, the alleged marriage of the parties may be declared to be null and void, upon the ground of force, fraud and duress.

3. And for such other and further relief as the nature of the case may require and to the Court may seem necessary and proper.

Lewis M. Clarkson

District of Columbia, SS:

Lewis M. Clarkson, being first duly sworn, on oath says that he has read the foregoing Bill of Complaint by him subscribed and knows the contents thereof; that the matters and things therein alleged as upon his own knowledge are true, and those alleged upon information and belief he believes to be true.

Lewis M. Clarkson

Subscribed and sworn to before  
me this 13<sup>d</sup> day of September,  
1937.

Margaret Clevers  
Notary Public, D. C.  
My Commission Expires February 14, 1939

James R. Murphy  
James R. Murphy  
Attorney for Plaintiff  
American Security Bldg.

District Court of the United States for the District of Columbia

65388

Lewis M. Clarkson

, Plaintiff ,

vs.

Mercedes Quintana Clarkson

, Defendant .

No.

IN EQUITY

THE PRESIDENT OF THE UNITED STATES to

- (1) Mercedes Quintana Clarkson *Null*
- (2)
- (3)
- (4)
- (5)
- (6)
- (7)
- (8) \_\_\_\_\_, Defendant .

**Greeting:** You are hereby commanded to appear before the District Court of the United States for the District of Columbia to answer a bill of complaint (or petition) exhibited against you in the said Court in a suit in Equity by the above-named plaintiff , and to further do and receive what the said Court shall have considered in this behalf; and hereof fail not.

**Witness,** The Honorable Chief Justice of said Court, the 13th day of Sept. , A. D. 1937 .

CHARLES E. STEWART, Clerk.

By \_\_\_\_\_

*Charles E. Stewart*  
Assistant Clerk.

\_\_\_\_\_, Attorney.

**NOTE.**—The defendant is required to file his answer or other defense in the Clerk's office on or before the twentieth day after service, excluding the day thereof; otherwise, the bill may be taken *pro confesso*.

MARSHAL'S RETURN

Served a copy of the bill of complaint or petition and this subpoena to answer on above-named

(1) Defendant Mercedes Quintana Clarkson (5) Defendant  
Not to be found OCT 12 1937

JOHN B. COLPOYS.  
U. S. Marshal in and for the District of Columbia.  
By Richard G. Allen  
Deputy Marshal.

JOHN B. COLPOYS.  
U. S. Marshal in and for the District of Columbia.  
By \_\_\_\_\_  
Deputy Marshal.

(2) Defendant \_\_\_\_\_  
JOHN B. COLPOYS.  
U. S. Marshal in and for the District of Columbia.  
By \_\_\_\_\_  
Deputy Marshal.

(6) Defendant \_\_\_\_\_  
JOHN B. COLPOYS.  
U. S. Marshal in and for the District of Columbia.  
By \_\_\_\_\_  
Deputy Marshal.

(3) Defendant \_\_\_\_\_  
JOHN B. COLPOYS.  
U. S. Marshal in and for the District of Columbia.  
By \_\_\_\_\_  
Deputy Marshal.

(7) Defendant \_\_\_\_\_  
JOHN B. COLPOYS.  
U. S. Marshal in and for the District of Columbia.  
By \_\_\_\_\_  
Deputy Marshal.

(4) Defendant \_\_\_\_\_

(8) Defendant \_\_\_\_\_