

Custody case captured residents' attention in 1904

"There is nothing more difficult for a judge to decide than the possession of children as between a father and mother, even though the evidence may plainly point one way."

Judge James Wilson,
Jan. 26, 1904,
Bloomington Telephone.

Though the problem of child abduction by one of the parents is getting more publicity these days, it is not a modern phenomenon. Early in 1904, the attention of many Monroe Countians was captured by a case being heard in the courthouse.

Lottie May Frisbie didn't know what the word "divorce" meant when her family was permanently and legally separated by a court in St. Louis, Mo. She and her mother, Emma, were living in that city on the day her father, Frank Frisbie, stopped by for a visit.

According to the *Bloomington*



Looking back

By Rose McIlveen

Telephone, when Frank Frisbie asked if he might give little Lottie a kiss and had her in his arms, he suddenly, "... ran down an alley, then left the city, went to Indianapolis, and then to Bloomington."

After searching for two months, Emma discovered that little Lottie was living south of Bloomington at McDoel. The child's mother sent a representative, Harry Huffman, to report the kidnapping to Monroe County authorities.

Frank Frisbie responded in two

ways: he surrendered Lottie to the county sheriff (who took the child to his home) and filed a custody suit in court. (It should be noted that the court in St. Louis had granted Emma custody of the child in the divorce proceedings there.)

On their day in court, both parties came armed with legal help — Emma and Frank represented by Messrs. Duncan & Batman and the Hon. J.E. Henley, respectively. (It is not known whether Huffman was an attorney or merely a friend of Emma's.)

During the testimony the moral character of neither party seems to have been at issue, although Frank could have been charged with kidnapping by the court in St. Louis. Only two factors brought out in testimony had any relevance: Frank Frisbie testified that he had had three wives. Judge Wilson was con-

cerned about where the child would live — "If I believed this child, if given to the mother, would be taken to the Huffman flat, in St. Louis, with rooms dark as dungeons in mid-day and with the influences then I would feel that I should leave it where it is..."

The fact that Emma had declined to remarry Frank also came out in the evidence. Apparently, she was living with Huffman in St. Louis.

In rendering his decision, Judge Wilson said he did not doubt the love of either of Lottie's parents for her. But the *Bloomington Evening World* hinted that there seemed to be some disadvantages in his ruling for one parent or the other.

The *Telephone* hinted that Emma was living with Huffman in St. Louis. On the other hand, after she had been brought to Monroe Coun-

ty, Lottie was being cared for by foster parents employed by her father.

In the end, Judge Wilson gave the child to her mother, saying, "The home the child has here is a good one, but it is among strangers. No hand can minister to the wants of a child like the hand of a mother. She alone can answer its cries, and supply its wants."

Actually, Emma had promised the judge that Lottie would live in East St. Louis with Emma's sister. Naturally, Frank Frisbie was not happy about the decision.

Concluded the *Telephone* of Feb. 26, 1904, "The mother went to the hotel and Saturday at midnight left with her friend Huffman for their home in St. Louis. Huffman seemed afraid of Frisbie, the defeated father, who he said threatened to kill him, and he had the police guard him to the depot."