

*B 85*  
*1934*

IN THE  
CIRCUIT COURT OF  
BALTIMORE CITY

WILBUR G. MATTHEWS

VS

ADDIE J. MATTHEWS

BILL OF COMPLAINT

MR. CLERK:-

PLEASE FILE, ETC.,

*Josiah F. Henry, Jr.*  
SOLICITOR FOR COMPLAINANT.

*B 38606*

JOSIAH F. HENRY, JR.  
ATTORNEY AT LAW  
8 EAST LEXINGTON STREET  
BALTIMORE, MD.

FILED *16 February 1934*

-FIFTH-

WILBUR G. MATTHEWS

IN THE CIRCUIT COURT

VS

OF

ADDIE J. MATTHEWS

BALTIMORE CITY

oOo

TO THE HONORABLE JUDGE OF SAID COURT:

TO THE HONORABLE JUDGE OF SAID COURT:

Your Orator, complaining, says;

-FIRST-

That on or about the 15th day of November, 1904, he was married to his wife, Addie J. Matthews, at Chester, Pennsylvania, with whom he resided in the City of Baltimore, State of Maryland, until on or about the 5th day of April, 1929.

-SECOND-

That though the conduct of your orator towards his wife, the said Addie J. Matthews, has always been kind, affectionate and above reproach, the said defendant has, without just cause or reason, abandoned and deserted him, and has declared her intention to live with him no longer; and that such abandonment and desertion has continued uninterruptedly for at least three years, and is deliberate and final, and the separation of the parties beyond any reasonable expectation of reconciliation.

-THIRD-

That there are no children as a result of said union.

-FOURTH-

That your orator has not lived nor cohabited with said defendant since the aforesaid desertion and abandonment.

-FIFTH-

That both your orator and the said defendant are residents of the City of Baltimore in the State of Maryland where they have resided for more than two years last past.

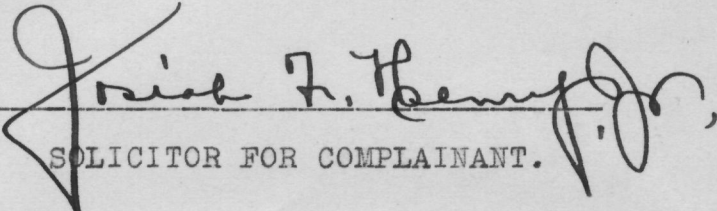
TO THE END, THEREFORE:-

(1) That your orator may be divorced A Vinculo Matrimonii from the said defendant.

(2) That your orator may have such other and further relief as his case may require.

MAY IT PLEASE YOUR HONOR, to grant unto your orator, the writ of Subpoena directed to the said defendant, Addie J. Matthews residing in the City of Baltimore, State of Maryland, commanding her to be and appear in this Court on some day certain to be named herein, and answer the premises, and abide by and perform such decree as may be passed herein.

AND, AS IN DUTY BOUND, ETC.,

  
SOLICITOR FOR COMPLAINANT.

B 85/1934

IN THE  
CIRCUIT COURT OF  
BALTIMORE CITY

WILBUR G. MATTHEWS

-VS-

ADDIE J. MATTHEWS

ANSWER

MR. CLERK:-

PLEASE FILE, ETC.,

ATTORNEY FOR DEFENDANT.

B 38606

THURGOOD MARSHALL, ATTY.  
601 PHOENIX BUILDING,  
BALTIMORE, MARYLAND.

LUCAS BROS., INC., BALTIMORE

Ad 17 Feby 1934

WILBUR G. MATTHEWS : IN THE CIRCUIT COURT

VS : OF

ADDIE J. MATTHEWS : BALTIMORE CITY

oOo

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Respondent, Addie J. Matthews, in answer to the Bill of Complaint filed and exhibited herein against her, respectfully says:

-FIRST-

That she admits the allegations in paragraph ONE of the Bill of Complaint

-SECOND-

That she denies the allegations contained in paragraph TWO of the Bill of Complaint and requires strict proof thereof.

Having answered said Bill of Complaint as fully as has been advised by counsel, the Respondent respectfully prays that the Bill be dismissed with the proper costs.

AND, AS IN DUTY BOUND, ETC.,

*Thurgood Marshall*  
.....

ATTORNEY FOR RESPONDENT

*addie j. matthews*  
.....

R E S P O N D E N T

Circuit Court

1934

85

Docket B 1934

WILBUR G. MATTHEWS

vs.

ADDIE J. MATTHEWS

SUBMISSION FOR DECREE.

*Latane*

Mr. Clerk,  
Please file,

*Joseph F. Bennett*  
Solicitor for Plaintiff.

No.

*B 38606*  
*(8)*

Filed

*11<sup>th</sup> April*

19*34*

WILBUR G. MATTHEWS

vs.

ADDIE J. MATTHEWS

In the Circuit Court  
of Baltimore City

*March*

TERM, 19<sup>34</sup>

To the Honorable

*Rowland K Adams,*

Judge of Said Court:

The above cause is respectfully submitted for  
decree and the 43rd General Equity Rule is hereby waived.

*Josiah H. Henry, Jr.,*

Solicitor for Plaintiff,

*Hungover Marshall.*

Solicitor for Defendant.

*P 592*

Ct. Ct.

B-85

19 34

No.

Docket

Wilbur G. Matthews

vs.

Addie J. Matthews

**SUBPOENA TO ANSWER BILL OF COMPLAINT**

*Pod*

No.

B-38606

(2) *(4)*

Filed

*12 March 1934*  
*9 April 1934*

Josiah F. Henry, Jr.

Solicitor

*B*



EQUITY SUBPOENA

The State of Maryland

On Addie J. Matthews,

B-85-1934



of Baltimore City, Greeting:

WE COMMAND AND ENJOIN YOU, That all excuses set aside, you do within the time limited by law, beginning on the second Monday of March next, cause an appearance to be entered for you and your answer to be filed to the complaint of

Wilbur G. Matthews

against you exhibited in the Circuit Court of Baltimore City.

HEREOF fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable SAMUEL K. DENNIS, Chief Judge of the Supreme Bench of Baltimore City, the 8th day of January, 19 34. Issued the 16th day of February, in the year 19 34.

Chas R. Whiteford

Clerk

MEMORANDUM: You are required to file your answer or other defense in the Clerk's Office, room 206, in the Court House, Baltimore City, within fifteen days after return day.

EQUITY SUBPOENA

The State of Maryland

To Addie J. Matthews,

B-85-1934

(Copy) (Seal)

of Baltimore City, Greeting:

WE COMMAND AND ENJOIN YOU, That all excuses set aside, you do within the time limited by law, beginning on the second Monday of ~~March~~ *April* next, cause an appearance to be entered for you and your answer to be filed to the complaint of

Wilbur G. Matthews

against you exhibited in the Circuit Court of Baltimore City.

HEREOF fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable SAMUEL K. DENNIS, Chief Judge of the Supreme Bench of Baltimore City, the 8th day of January, 19 34  
Issued the 16th day of February, in the year 19 34.

*Chas R Whiteford* Clerk

MEMORANDUM: You are required to file your answer or other defense in the Clerk's Office, room 206, in the Court House, Baltimore City, within fifteen days after return day.

Now Est

Joseph C. Beegan  
sheriff

3/12 4

REISSUED TO

April

Return Day, 1984

Chas R Whitford  
Clerk

Now Est

Joseph C. Beegan  
sheriff

RECEIVED AT THE  
OFFICE OF THE  
SECRETARY OF THE  
NAVY  
WASHINGTON  
D. C.  
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The State of Maryland

LEGISLATIVE

Journal of the

1884

DOCKET ..... B.85/1934 .....

IN THE CIRCUIT COURT .....

..... Wilbur G. Matthews .....

vs.

..... Addie J. Matthews .....

**DEPOSITIONS**

B No. 38606  
(2)

**PLAINTIFF'S COSTS**

Examiner ..... \$ .....

Copies ..... .....

Notices ..... .....

Sheriff ..... .....

Stenographer ..... .....

.....  
\$

**DEFENDANT'S COSTS**

Examiner ..... \$ .....

Copies ..... .....

Notices ..... .....

Sheriff ..... .....

Stenographer ..... .....

.....  
\$

**GEORGE ARNOLD FRICK, Examiner**

Filed ..... 5<sup>th</sup> ..... day of April 19 34 .....

.....  
Wilbur G. Matthews  
.....

vs.

.....  
Addie J. Matthews  
.....

In the Circuit Court.....  
OF BALTIMORE CITY

.....  
The above entitled cause being at issue  
.....

and notice having been given me by the Solicitor for the..... Plaintiff.....  
of a desire to take testimony in the same, I, GEORGE ARNOLD FRICK, one  
of the Standing Examiners of the Circuit Courts of Baltimore City, under and by  
virtue of an order of the above named Circuit Court, passed in said cause on the  
..... 16th ..... day of ..... March ..... , 1934, met on  
the ..... 26th ..... day of ..... March ..... in the year nineteen  
hundred and thirty ..... four ..... , at my office, in the City of Baltimore, in the  
State of Maryland, and assigned the ..... 28th ..... day of ..... March .....  
in the same year at ..... two ..... o'clock in the ..... after noon and the  
office of ..... the Examiner ..... in the City and State  
aforesaid, as the time and place for such examination of witnesses in said cause;  
at which last mentioned time and place I attended, due notice of such meeting  
having been given, and proceeded in the presence of the Solicitor<sup>s</sup>..... of the  
..... respective parties ..... to take the following deposition, that  
is to say:

TESTIMONY taken at the office of George Arnold Frick, Examiner, on Wednesday, March 28, 1934, at two o'clock in the afternoon.

Present: Josiah F. Henry, Jr., Counsel for the Plaintiff.

Thurgood Marshall, Counsel for the Defendant.

Thereupon:

WILBUR G. MATTHEWS, the Plaintiff, produced as a witness on his own behalf, being first duly sworn according to law, deposeth and saith as follows - that is to say -

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- Wilbur G. Matthews, 1006 Harford Road, Baltimore, Maryland. Driver - chauffeur.

2 Q- You are the Plaintiff in this proceeding?

A- Yes.

3 Q- How long have you known the Defendant, Addie J. Matthews?

A- For about twenty years.

BY MR. HENRY:

4 Q- When were you married to Addie?

Wilbur G. Matthews

A- 15th of November, 1904.

5 Q- Where were you married?

A- Chester, Pennsylvania.

6 Q- Are you now living with her?

A- No.

7 Q- Which one left the other?

A- She left me.

8 Q- About what time did she leave you?

A- April 5, 1929.

9 Q- Did she say anything when she left?

A- No.

10 Q- She say she expected to return?

A- No.

11 Q- What was your conduct towards your wife - were you kind and affectionate and did you provide for her?

A- Yes, I did everything possible I could do.

12 Q- Has the desertion and abandonment been continuous for a period of three years?

A- Yes.

13 Q- Do you think it is deliberate and final and beyond reasonable hope or expectation of a reconciliation?

A- Yes, sir.



Wilbur G. Matthews

14 Q- Any children born from said union?

A- No children.

15 Q- Have you lived or cohabited with the said Addie J. Matthews since she left?

A- No.

16 Q- Is the Defendant, Addie J. Matthews, a resident of the State of Maryland and has she been for more than two years last past?

A- Yes.

MR. HENRY: That's all.

MR. MARSHALL: No questions.

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QUESTION BY THE EXAMINER:

Do you know or can you state any other matter or thing that may be of benefit or advantage to the parties to this suit or either of them or that may be material to the subject of this your examination or the matters in question between the parties? If so, state the same fully and at large in your answer.

Answer:

*Mr. William G. Matthews*

LINDA ELBERT, produced as a witness on behalf of the Plaintiff, being first duly sworn according to law, deposeseth and saith as follows - that is to say -

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- Linda Elbert, 1006 Harford Avenue, Baltimore, Maryland. I keep house for him.

2 Q- Do you know the parties to this suit, Wilbur G. Matthews and Addie J. Matthews?

A- Yes, sir.

3 Q- How long have you known them?

A- Twenty-four years.

4 Q- You have known him for twenty-four years?

A- Yes.

5 Q- How long have you known her?

A- Just about the same time.

BY MR. HENRY:

6 Q- Do you know when they were married?

A- Yes, November 15, 1904.

7 Q- Do you know where they were married?

A- Chester.

8 Q- Chester what?

Linda Elbert

A- Chester, Pennsylvania.

9 Q- Do you know whether they reside together now as husband and wife?

A- No, they do not.

10 Q- Do you know which one left the other?

A- She left him.

11 Q- Do you know about when she left him?

A- April 5, 1929.

12 Q- How did he treat her?

A- All right.

13 Q- Kind and affectionate?

A- He was.

14 Q- And provided for her?

A- Yes, indeed.

15 Q- Has the desertion and abandonment been continuous for a period of more than three years?

A- Yes.

16 Q- Do you think that it is deliberate and final and the separation of the parties beyond any reasonable hope or expectation of reconciliation?

A- Yes.

17 Q- Were there any children born from said union?

A- No children born.

18 Q- The Plaintiff, is he a resident of the City of Baltimore and the State of Maryland?

Linda Elbert

A- Yes.

19 Q- And the Defendant, Addie J. Matthews, is a resident of the City of Baltimore and the State of Maryland and has been for more than two years last past?

A- Yes.

MR. HENRY: That's all.

MR. MARSHALL: No cross Examination.

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QUESTION BY THE EXAMINER:

Do you know or can you state any other matter or thing that may be of benefit or advantage to the parties to this suit or either of them or that may be material to the subject of this your examination or the matters in question between the parties? If so, state the same fully and at large in your answer.

Answer: *Yes.*

*Linda Albert*

No other witnesses being named or produced before me, I then at the request of the Solicitor s of the respective parties closed the depositions taken in said cause, and now return them closed under my hand and seal on this 5th day of April in the year of our Lord nineteen hundred and thirty four, at the City of Baltimore, in the State of Maryland.

*George Arnold Frick*  
Examiner. 

There are no Exhibits with these depositions, to wit:  
Plaintiff's Exhibit

Defendant's Exhibit

*George Arnold Frick*  
Examiner.

I, GEORGE ARNOLD FRICK, the Examiner before whom the foregoing depositions were taken, do hereby certify that I was employed in assigning a day and taking the said depositions upon two days, on both of which I was employed by the plaintiff, and on none by the defendant.

*George Arnold Frick*  
Examiner.

# Circuit Court No. 2

*B 85*

193 <sup>4</sup>

DOCKET No. ....

74 B 85

WILBUR G. MATTHEWS

vs.

ADDIE J. MATTHEWS

## Order of Reference and Report

*Latam*

B 38606

*B* No. *38606*

*(7)*

Order Filed *5<sup>th</sup>* day of *April*, 193*4*

Report Filed *13* day of *April*, 193*4*



WILBUR G. MATTHEWS

vs.

ADDIE J. MATTHEWS

IN THE  
Circuit Court No. 2

OF  
BALTIMORE CITY

*March* TERM, 193<sup>4</sup>

This case being submitted, without argument, it is ordered by the Court, this 5th day of April, 193<sup>4</sup>, that the same be and is hereby referred to James A. Latane', Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

*James A. Latane'*

**Report of Auditor and Master:**

Bill for divorce a vinculo matrimonii filed by the husband against his wife on the ground of abandonment. Code, Art. 16, Sec. 37-42.

Defendant answers by solicitor, authority in writing.

Defendant's residence in Baltimore City for more than two years proven.

The marriage proven.

The abandonment for three years, its finality and the irreconcilability of the parties proven.

More than thirty days have elapsed since the filing of the bill. Case submitted and ready for decree.

Apr. 13, 1934.

*James A. Latane'*  
Auditor and Master.

# Circuit Court

~~#~~  
193 4

85/1934  
B Docket.....

Wilbur G. Matthews

vs.

Addie J. Matthews

Petition for leave to take  
Testimony and Order of  
Court thereon

(7) jek

B No. 38606

(5)

Filed

16 March

1934

Wilbur G. Matthews

vs.

Addie J. Matthews

IN THE  
CIRCUIT COURT  
OF  
BALTIMORE CITY

To the Honorable the Judge of the  
Circuit Court of Baltimore City:

THE PETITION OF

Plaintiff

in this case, respectfully shows that he desire s to take testimony in this case, and respectfully pray s that leave be granted him to do so before one of the Standing Examiners of this Court.

Josiah F. Henry Jr.  
Solicitor for Complainant

ORDERED, this 16th day of March 1934,

that leave be granted to the parties to the cause, to take testimony, as prayed, before any one of the Standing Examiners of this Court.

Amos K. Lewis

11  
CIRCUIT COURT

**B** 85  
1934

No.                      Docket

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WILBUR G. MATTHEWS

VS.

ADDIE J. MATTHEWS

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**Decree of Divorce**  
Recorded

Folio 231 1934

**B** No. 38606  
(9)

FD 23 June 1934

DECREE OF DIVORCE.

IN THE

**Circuit Court**

OF

**BALTIMORE CITY**

.....  
WILBUR G. MATTHEWS

VS.

.....  
ADDIE J. MATTHEWS

.....  
*May* Term, 193*4*

This cause standing ready for hearing and being duly submitted, the proceedings were by the Court read and considered.

It is thereupon, this *23<sup>rd</sup>* day of *June*, A. D. 193*4*

by the Circuit Court of Baltimore City, **Adjudged, Ordered and Decreed**, that the said

.....  
WILBUR G. MATTHEWS

the above named Complainant be and he is hereby **DIVORCED A VINCULO MATRIMONII** from the Defendant, ADDIE J. MATTHEWS.

.....  
And it is Further Ordered, That the said Wilbur G. Matthews pay the cost of this proceeding.

*Richard C. Adams*

*This case...*  
*See a...*

The within is a proper decree to be passed in  
this case.

*Sas. a. Latane'*

*Auditor and Master.*