

IN THE
CIRCUIT COURT OF
BALTIMORE CITY

B 501
1934

THEODORE R. JOHNSON

VS

MILDRED LEONA JOHNSON

BILL FOR DIVORCE

B 39396

Mr. Clerk:

(1)

Please file etc.

Thurgood Marshall

THURGOOD MARSHALL
ATTORNEY AT LAW
604 PHOENIX BUILDING
BALTIMORE, MD.

FILED

5" Sept 1934

THEODORE R. JOHNSON * Mildred Leona Johnson. IN THE

*
CIRCUIT COURT

MILDRED LEONA JOHNSON *
vs

*
BALTIMORE CITY

To the Honorable, the Judge of said Court:

The bill of complaint of your orator respectfully represents unto your Honor as follows:-

1. That your orator, Theodore R. Johnson, was married to the defendant, Mildred Leona Johnson, in Washington, D.C. in July 1927 by a minister of the gospel.

2. That your orator resides in Baltimore Maryland and has been a resident of the State of Maryland for more than two years last past.

3. That the conduct of your orator towards his wife has always been kind, affectionate and above reproach.

4. That on or about July 20th 1927, the defendant without just cause or provocation deserted and abandoned your orator; that said abandonment has continued uninterruptedly since that date, was the defendant's own deliberate and final act, and is beyond any reasonable hope or expectation of a reconciliation.

5. That there were no children born as a result of this marriage.

6. That the defendant is not a resident of the State of Maryland and when last heard of was living in West Virginia.

WHEREFORE, your orator prays:

1. That your orator may be divorced a vinculo matrimonii from the defendant, Mildred Leona Johnson.

2. That your orator may have such other and further relief as the nature of the cause may require.

May it please your Honor, to grant unto your orator the order of publication, giving notice to the absent defendant, Mildred Leona Johnson, of the object and substance of this Bill of Complaint naming her to be and appear in this Court at some certain day to be named herein, to answer the premises and abide by and perform such decree as may be passed therein, and as in duty bound etc.



Attorney for Plaintiff

DOCKET B. 501/1934

IN THE CIRCUIT COURT

Theodore R. Johnson

vs.

Mildred Leona Johnson,

DEPOSITIONS

B No. 39396
~~18~~ (5)

PLAINTIFF'S COSTS

Examiner \$.....
Copies
Notices
Sheriff
Stenographer

\$

DEFENDANT'S COSTS

Examiner \$.....
Copies
Notices
Sheriff
Stenographer

\$

GEORGE ARNOLD FRICK, Examiner

Filed 2 day of July 1935

.....
Theodore R. Johnson
.....
vs.
.....
Mildred Leona Johnson
.....
.....

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

.....
A Decree Pro Confesso having been passed,
.....
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
23rd.....day of October....., 1934., met on
the 18th.....day of February.....in the year nineteen
hundred and thirty five....., at my office, in the City of Baltimore, in the
State of Maryland, and assigned the 19th.....day of February.....
in the same year at eleven.....o'clock in the fore.....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.....of the
Plaintiff.....to take the following deposition, that
is to say:

TESTIMONY taken at the office of George Arnold
Erick, Examiner, on Tuesday, February 19, 1935, at eleven
o'clock in the morning.

Present: Thurgood Marshall, Counsel for the Plaintiff.

Thereupon:

THEODORE R. JOHNSON, the Plaintiff, produced as
a witness on his own behalf, being first duly sworn accord-
ing to law, deposeth and saith as follows - that is to
say -

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- Theodore R. Johnson, 1826 Druid Hill Avenue,
Baltimore, Maryland.

2 Q- What is your occupation?

A- Operator.

3 Q- You are the Plaintiff in this proceeding?

A- Yes.

4 Q- How long have you known the Defendant, Mildred
Leona Johnson?

A- For the last ten years.

BY MR. MARSHALL:

5 Q- Mr. Johnson, have you been a resident of the City

Theodore R. Johnson

of Baltimore and the State of Maryland for more than two years prior to the filing of this suit?

A- Yes, sir.

6 Q- When were you married to the Defendant?

A- July 18, 1927.

7 Q- And where?

A- Washington, D.C.

8 Q- Who were you married by - was he a minister or a layman?

A- Minister.

9 Q- Remember his name?

A- I do not.

10 Q- What denomination was he or do you know where he was living?

A- I think at his home. I don't know what street it was. The minister is dead. The Court gave me his name.

11 Q- What sort of clergyman was he?

A- Baptist.

12 Q- Were there any children born as the result of your marriage?

A- No.

13 Q- What was your conduct towards your wife from the date of your marriage?

A- Very good.

Theodore R. Johnson

14 Q- Were you always kind and affectionate?

A- Yes.

15 Q- Provide for her?

A- Yes.

16 Q- Are you and your wife living together now?

A- No.

17 Q- When were you separated?

A- Two days after the marriage.

18 Q- In 1927?

A- Yes.

19 Q- Who left the other - did she leave you or did you leave her?

A- My wife left.

20 Q- Did you give her any provocation to leave you?

A- No.

21 Q- Did she say anything when she left?

A- She said she would not be back and was through.

22 Q- Through with you?

A- Yes.

23 Q- Was this desertion and abandonment of you her deliberate and final act?

A- Yes.

24 Q- Has the separation continued uninterrupted for more than three years prior to the filing of this suit?

Theodore R. Johnson

A- Yes.

25 Q- Is there any hope or expectation of a reconciliation between you and your wife?

A- No.

26 Q- Is your wife a resident or a non-resident of the State of Maryland?

A- Non-resident.

27 Q- Where was she when you last heard from her?

A- Wheeling, West Virginia.

28 Q- That was the last you heard of her?

A- Yes, sir.

29 Q- And you haven't seen her for three years?

A- No, more than three years.

MR. MARSHALL: That's all.

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.*

Theodore R. Johnson

HOWARD W. WEBB, produced as a witness on behalf of the Plaintiff, 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- Howard W. Webb, 1221 Irving Street, N.W., Washington, D.C.

2 Q- What is your occupation?

A- Student.

3 Q- Do you know the parties to this suit?

A- Yes, sir.

4 Q- How long have you known them?

A- I have known them about thirteen years.

BY MR. MARSHALL:

5 Q- Mr. Webb, were you present at the wedding between these two parties?

A- No.

6 Q- Did you know them when they lived together?

A- I did.

7 Q- Did they live together as man and wife?

A- Yes, they did.

8 Q- Did the people in the community generally recog-

Howard W. Webb

nize them as man and wife during the time they lived together?

A- They did.

9 Q- Has the Plaintiff been a resident of the State of Maryland for more than two years prior to the filing of this suit?

A- He has.

10 Q- During the time these two lived together as husband and wife what would you say was the conduct of Mr. Johnson towards the Defendant, Mildred Leona Johnson?

A- Very good.

11 Q- Was he always kind and affectionate?

A- He was.

12 Q- Did he provide for her?

A- He did.

13 Q- Are they living together now?

A- No, sir.

14 Q- About what date did they separate?

A- Two days after the marriage.

15 Q- 1927?

A- 1927.

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

A- The wife left him.

17 Q- Do you know whether or not she said anything when she left as to whether she would be back or not?

Howard W. Webb

A- She said she would not return.

18 Q- Did Mr. Johnson give Mildred Leona Johnson any just cause or provocation for leaving him?

A- He didn't give her any just cause.

19 Q- Was her desertion of him deliberate and final on her part?

A- Yes, sir.

20 Q- Has the separation been continuous and uninterrupted for more than three years prior to the filing of this suit?

A- Yes.

21 Q- Do you think there is any hope of a reconciliation between the two of them?

A- No.

22 Q- Is the Defendant a resident or a non-resident of the State of Maryland?

A- She is a non-resident.

23 Q- Have you any idea where she is now?

A- Wheeling, West Virginia.

24 Q- Where was she when you last heard of her?

A- That was the last I heard of her, Wheeling, West Virginia.

MR. MARSHALL: That's all.

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.

Howard W. Webb

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

George Arnold Frick



Examiner.

There are no.....Exhibits with these depositions, to wit:
Plaintiff'sExhibit.....

Defendant'sExhibit.....

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.

OK

19.....

Docket No.....

501

1934

Johnson

vs.

Johnson

Certificate of Publication

B 39396
[3]

THE DAILY RECORD

Filed.....

day of.....

1934

THE DAILY RECORD

Thurgood Marshall, Solicitor,
Phoenix Building.

IN THE CIRCUIT COURT OF BALTI-
MORE CITY—(B—501—1934)—Theodore
R. Johnson vs. Mildred Leona Johnson.

ORDER OF PUBLICATION.

The object of this suit is to procure a
divorce a vinculo matrimonii by the plain-
tiff, Theodore R. Johnson, from the de-
fendant, Mildred Leona Johnson.

The bill recites the marriage in July,
1927, in Washington, D. C.; the conduct
of the plaintiff towards the defendant has
always been above reproach; that defend-
ant without just cause or provocation
abandoned and deserted the plaintiff in
July, 1927; said abandonment and deser-
tion has been continuous and uninterr-
rupted for more than three years, was de-
liberate act of defendant; there is no hope
of reconciliation; there are no children;
plaintiff is a resident of Baltimore City
and has been a resident of Maryland for
more than two years last past; defendant
is a non-resident and when last heard of
was in West Virginia.

It is thereupon, ordered, this 5th day of
September, 1934, by the Circuit Court of
Baltimore, that the plaintiff, by causing
a copy of this order to be inserted in some
daily newspaper published in this city
once a week for four successive weeks on
or before the 6th day of October, 1934,
give notice to said absent defendant of
the object and substance of the bill and
warning her to be and appear in this
Court, in person or by solicitor, on or
before the 22nd day of October, 1934, to
show cause if any she may have, why a
decree should not be passed as prayed.

ROWLAND K. ADAMS.

True Copy—Test:

CHAS. R. WHITEFORD,

s6,13,20,27

Clerk.

Baltimore, September 27, 1934.

We hereby certify that the annexed advertise-
ment of Order of Publication. Circuit Court

of Baltimore City, Case of.....

Theodore R. Johnson.

vs. Mildred Leona Johnson.

was published in THE DAILY RECORD, a daily news-
paper published in the City of Baltimore, once in each of

four successive weeks before the

sixth day of October, 1934.

First insertion September 6, 1934.

THE DAILY RECORD

Per Carl Mc. Commons.

3-13-7-17 ✓

CIRCUIT COURT

B.....501.....
1934

No. Docket

THEODORE R. JOHNSON

VS.

MILDRED LEONA JOHNSON

Decree of Divorce

Recorded

Folio 358 1935

B No. 39396

(7).

Ed 11 September 1935

DECREE OF DIVORCE.

THEODORE R. JOHNSON

vs.

MILDRED LEONA JOHNSON

IN THE
CIRCUIT COURT

—OF—
BALTIMORE CITY

September TERM, 193*5*

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

It is Thereupon, This *11th* day of *September*, A. D. 193*5*,
by the Circuit Court of Baltimore City, **Adjudged, Ordered and Decreed**, that the said

THEODORE R. JOHNSON

the above named Complainant, be and he is hereby **DIVORCED A VINCULO MATRIMONII** from the
Defendant, *MILDRED LEONA JOHNSON*

And it is Further Ordered, That the said *Theodore R. Johnson*
pay the cost of this proceeding.

✓ Joseph Newman

of housing of each party as of date of entry
1935
for a period
of 30 days

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

Jas. A. Latané

Auditor and Master

CIRCUIT COURT

Circuit Court

1935

Docket No.

74B
501

Theodore R. Johnson

vs.

Mildred Luana Johnson

Order of Reference and Report

Latawiec

B No. 39369
(6)

Order Filed 17 day of July 1935

Report Filed 9 day of Sept 1935

Theodore R. Johnson

vs.

Michael Leona Johnson

IN THE
Circuit Court

OF
BALTIMORE CITY

July

Term, 1935

This case being submitted, without argument, it is ordered by the Court, this
day of July, 1935, that the same be and it is hereby referred to
James A. Latane, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

J. Grant Sufferlin Jr.
Judge

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 proceeded against as a non-resident and her non-residence
proven.

Plaintiff'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.

A decree pro confesso was passed against the defendant and more than
thirty days have since elapsed. Case ready for decree.

July 13, 1935

Jas. A. Latane
Auditor and Master.

IN THE CIRCUIT COURT

OF

BALTIMORE CITY

B501
1934

THEODORE R. JOHNSON

VS

MILDRED LEONA JOHNSON

ORDER FOR PUBLICATION

B39396

(2)

THURGOOD MARSHALL

ATTORNEY AT LAW

604 PHOENIX BUILDING

BALTIMORE, MD.

FILED

5th Sept 1934

THEODORE R. JOHNSON

-2-

*

IN THE

VS

*

CIRCUIT COURT OF

*

MILDRED LEONA JOHNSON

*

BALTIMORE CITY

ORDER OF PUBLICATION

The object of this suit is to procure a divorce a vinculo matrimonii by the plaintiff, Theodore R. Johnson, from the defendant, Mildred Leona Johnson.

The bill recites the marriage in July 1927 in Washington, D.C; the conduct of the plaintiff towards the defendant has always been above reproach; that defendant without just cause or provocation abandoned and deserted the plaintiff in July 1927; said abandonment and desertion has been continuous and uninterrupted for more than three years, was deliberate act of defendant; there is no hope of reconciliation; there are no children; plaintiff is a resident of Baltimore City and has been a resident of Maryland for more than two years last past; defendant is a non-resident and when last heard of was in West Virginia.

It is thereupon ordered this 5th day of September, 1934, by the Circuit Court of Baltimore, that the plaintiff, by causing a copy of this order to be inserted in some daily newspaper published in this city, once a week for four successive weeks on or before the 6th day of October 1934, Give notice to said absent defendant of the object and substance of the bill and naming her to be and appear in this court, in person or by solicitor on or before the 22nd day of October 1934, to show cause if any she may have why a decree should not be passed as prayed.

Amleto Meledani

True Copy -----Test

Oct 23

501

Circuit Court

B501
1934

Docket No.

THEODORE R. JOHNSON

VS.

MILDRED LEONA JOHNSON,

Decree Pro Confesso

Freek

B No. 39396
(4)

Filed 23 day of Oct, 1934

[DECREE PRO CONFESSO]

THEODORE R. JOHNSON

vs.

MILDRED LEONA JOHNSON

IN THE
CIRCUIT COURT
OF
BALTIMORE CITY

September

Term, 1934

The Defendant MILDRED LEONA JOHNSON having been duly summoned (notified by Order of Publication) to appear to the Bill of Complaint, and having failed to appear thereto, according to the exigency of the writ (said Order)

23rd

It is thereupon this 23rd day of October in the year nineteen hundred and thirty-four by the Circuit Court of Baltimore City, ADJUDGED, ORDERED and DECREED, that the complainant is entitled to relief in the premises, and that the Bill of Complaint be and is hereby taken pro confesso against the defendant MILDRED LEONA JOHNSON.

But because it doth not certainly appear to what relief the plaintiff is entitled, it is further ADJUDGED and ORDERED, that one of the Examiners of this Court, take testimony to support the allegations of the Bill.

Prntaw Meledams