

IN THE CIRCUIT COURT
B 138 OF *B 138*
1925 BALTIMORE CITY. *1926*

ROXIE WADELL

VS.

WESLEY WADELL

B 30532
17(2)

BILL FOR DIVORCE

Mr. Clerk :-
Please file.

Davis & Evans

ATTORNEYS FOR PLAINTIFF.

J. STEWARD DAVIS
ATTORNEY AT LAW
215 SAINT PAUL PLACE

BALTIMORE, MD.
Filed 29 Mich 1926

ROXIE WADELL : IN THE CIRCUIT COURT

VS. : OF

WESLEY WADELL :: BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:

- I. That she was married to her husband, Wesley Wadell on the 9th day of April, 1897 in Ashbury, North Carolina and with whom she resided until the 20th day of February, 1910 when the defendant deserted the plaintiff.
2. That though the conduct of your Oratrix toward the said defendant has always been kind, affectionate and above reproach, he has, without any just cause or reason, abandoned and deserted her and has declared his intentions to live with her no longer, and that such abandonment has continued uninterruptedly for more than three years and is deliberate and final and the separation of the parties is beyond any reasonable expectation of reconciliation.
3. That your Oratrix has not lived or co-habited with the said defendant since said desertion.
4. That there are ~~four~~ children born as a result of said marriage.
5. That your Oratrix is a citizen of the State of Maryland having resided in Baltimore City for more than three years prior to the filing of this Bill of Complaint, but that the defendant is a non-resident of the State of Maryland.

TO THE END, THEREFORE:

(a) That your Oratrix may be divorced A Vinculo Matrimonii from the said Wesley Wadell.

(b) That she may have such other and further relief as her case may require.

May it please your Honor to grant unto your Oratrix the Order of Publication directed against the said Wesley Wadell, commanding and requiring him to be and appear in this Court on some day certain to be named therein to answer the premises and abide by and perform such decree or order as may be passed therein.

AND as in duty bound, etc.



ATTORNEYS FOR PLAINTIFF.

DAVIS & EVANS, SOLICITORS,
215 ST. PAUL PLACE,
IN THE CIRCUIT COURT OF BALTIMORE CITY
ROXIE WADELL VS. WESLEY WADELL

ORDER OF PUBLICATION

The object of this bill is to procure a divorce A Vinculo Matrimonii by the plaintiff, Roxie Wadell, from the defendant, Wesley Wadell.

The bill states that the parties were married on the 9th day of April, 1897 in Ashbury, North Carolina and lived together until the 20th day of February, 1910 when the defendant deserted the plaintiff. That though the conduct of your Oratrix toward the said defendant has always been kind, affectionate and above reproach, he has, without any just cause or reason, abandoned and deserted her and has declared his intentions to live with her no longer and that such abandonment has continued uninterruptedly for more than three years and is deliberate and final and the separation of the parties is beyond any hope of reconciliation. That your Oratrix has not lived or co-habited with the said defendant since said desertion. That there are *four* children born as issue of said marriage. That your Oratrix is a citizen of the State of Maryland but that the defendant is a non-resident of the State of Maryland.

It is thereupon ordered by the Circuit Court of Baltimore City this *29* day of *March* 1926, that the plaintiff by causing a copy of this order to be inserted in some daily newspaper published in Baltimore City, once a week for four successive weeks before the *29* day of *April* 1926, give notice to the absent defendant of the object and substance of this bill, warning him to be and appear in this Court in person or by Solicitor on or before the *17* day of *May* 1926 to show cause, if any he may have why a decree should not be passed as prayed.

James P. Gorter

192....

Docket No.

138
1926

Hadell

vs.

Hadell

Certificate of Publication

B 30532
(3)

THE DAILY RECORD

Filed *25* day of *June* 1926

THE DAILY RECORD

Baltimore, APR 20 1926, 1926

Davis & Evans, Solicitors,
215 St. Paul Place.

IN THE CIRCUIT COURT OF BALTIMORE CITY — (B — 138 — 1926) — Roxie Wadell vs. Wesley Wadell.

ORDER OF PUBLICATION.

The object of this bill is to procure a divorce a vinculo matrimonii by the plaintiff, Roxie Wadell, from the defendant, Wesley Wadell.

The bill states that the parties were married on the 9th day of April, 1897, in Ashbury, North Carolina, and lived together until the 20th day of February, 1910, when the defendant deserted the plaintiff. That though the conduct of your oratrix toward the said defendant has always been kind, affectionate and above reproach, he has, without any just cause or reason, abandoned and deserted her and has declared his intentions to live with her no longer and that such abandonment has continued uninterruptedly for more than three years and is deliberate and final and the separation of the parties is beyond any hope of reconciliation. That your oratrix has not lived or cohabited with the said defendant since said desertion. That there are four children born as issue of said marriage. That your oratrix is a citizen of the State of Maryland but that the defendant is a non-resident of the State of Maryland.

It is thereupon ordered by the Circuit Court of Baltimore City this 29th day of March, 1926, that the plaintiff by causing a copy of this order to be inserted in some daily newspaper published in Baltimore City, once a week for four successive weeks before the 29th day of April, 1926, give notice to the absent defendant of the object and substance of this bill, warning him to be and appear in this Court in person or by solicitor on or before the 17th day of May, 1926, to show cause, if any he may have, why a decree should not be passed as prayed.

JAMES P. GORTER.

True Copy—Test:

CHAS. R. WHITEFORD,
mh30,ap6,13,20 Clerk.

We hereby certify that the annexed advertisement of Order Publication Circuit Court

of Baltimore City, Case of

Roxie Wadell
vs. Wesley Wadell

was published in THE DAILY RECORD, a daily newspaper published in the City of Baltimore, once in each of

four successive weeks before the 29th day of April 1926.

First insertion Mar 30th 1926.

THE DAILY RECORD

Per [Signature]

Order of Pub

138
1926

Ct. Ct.
Docket 1366

Rosie Madell

vs.

Mesley Madell

Decree Pro Confesso.

Says

B 30532

No. (4)

Filed 25 June 1926

Roxie Madell

vs.

Wesley Madell

IN THE
Circuit Court
OF
BALTIMORE CITY.

May

Term, 1926

The Defendant 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).

It is thereupon this *25th* day of *June* in the year nineteen hundred and twenty *24* 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. 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.

Chitwood

3/13/27

Doc. B $\frac{138}{1926}$

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Roxie Madell

vs.

Wesley Madell

No. 30532 B

PLAINTIFF'S COSTS

Examiners..... \$

Copies.....

Sheriff.....

Stenographer.....

\$ _____

DEFENDANT'S COSTS

Examiners..... \$

Copies.....

Sheriff.....

Stenographer.....

\$ _____

2d 16" July 1926

Roxie Madell

vs.
Wesley Madell

In the Circuit Court
OF BALTIMORE CITY.

A Decree Pro Confesso having been passed in said cause and notice having been given me by the Solicitor for the plaintiff of a desire to take testimony in the same, I, A. de RUSSY SAPPINGTON, 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 twenty-fifth day of June 1926, met on the twenty-fifth day of June in the year nineteen hundred and twenty-six at my office, in the city of Baltimore, in the State of Maryland, and assigned the twenty-fifth day of June in the same year at twelve-thirty o'clock in the afternoon and the office of A. de R. Sappington Esq. 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 depositions, that is to say:—

ROXIE WADELL

VS.

WESLEY WADELL.

Testimony taken before me, A. deRussy
Sappington, Examiner, at my offices in the Title Bldg,
Baltimore, Md. on June 25, 1926, at 12.30 o'clock in
the afternoon.

Mr. George Evans appeared for the Plaintiff.

Thereupon---

ROXIE WADELL,

the plaintiff, of lawful age, produced on her own
behalf, having been first duly AFFIRMED according to
law, was examined and testified as follows:

By the Examiner:

Q , State your name, residence and occupation?

A Roxie Wadell, 1803 East Madison St.,
house wife.

Q Do you know the parties to this suit?

A I am the plaintiff and the defendant is my

husband.

By Mr. Evans:

Q When, where and by whom were you married?

A April 9, 1897, in Ashbury, N.C., by a
Justice of the Peace.

Q Was the Justice of the Peace who married you
regularly authorized to perform marriages ceremonies
under the laws of North Carolina.

AX Yes, sir.

Q Are you living with your husband now?

A No, sir, he put me out on February 20, 1910.

Q State the circumstances under which he put
you out?

A On Sunday evening I came from Church and
I went to a lady's house and stayed an hour and when
I came back he got mad and took hold of me and threw
me out, and I caught hold of the post on the porch
to keep from falling. He told me to get out and
stay out and never come back.

Q Did you give him any just cause for this
action?

A No, sir, I did not.

Q Were you always a kind, affectionate and faithful wife?

A I was.

Q Has the separation continued uninterruptedly for more than three years prior to the filing of this bill?

A Yes, sir.

Q Is the separation deliberate and final and beyond any reasonable hope of reconciliation?

A It is. He wouldn't live with me any more.

Q Are there any minor children as result of your marriage?

A No, sir.

Q Have you been a resident of the City of Baltimore, State of Maryland for more than two years prior to the filing of this bill?

A Yes, sir.

Q Is the defendant, your husband a resident of the State of Maryland?

A No, sir.

Q Where was he living when you last heard of him?

A In North Carolina.

Q Have you lived or cohabited with your husband since he put you out on February 20, 1910?

A No, sir.

GENERAL QUESTION

Do you know or can you state any other matter or thing that may be to the benefit or advantage of 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.

A. ---No---

Rayie Waddell

Thereupon---

CLEO WADELL,

a witness of lawful age, produced on behalf of the plaintiff, having been first duly sworn according to law, was examined and testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A Cleo Wadell, 1803 East Madison Street,
housework.

Q Do you know the parties to this suit?

A Yes; they are my Mother and Father.

By Mr. Evans:

Q Do you remember when they lived together
as husband and wife?

A Yes, I lived with them.

Q Were they known and recognized in the community
in which they lived as husband and wife?

A Yes, sir.

Q Has your Mother, the plaintiff, always been
a kind, affectionate and faithful wife?

A She has.

Q Did she give her husband any just cause to put her out of his house?

A No, sir.

Q When did he put her out?

A On February 20, 1910. She had been out a little while and when she came back he got into a temper and threw her out. That wasn't the first time he had told her to get out, but this time he threw her out and told her never to come back.

Q Has the separation continued uninterruptedly for more than three years prior to the filing of this bill?

A Yes, sir.

Q Has she lived or cohabited with her husband since February 20, 1910

A No, sir.

Q Is the separation deliberate and final and beyond any hope of reconciliation?

A Yes, sir.

Q Has the plaintiff, your mother, been a resident of the City of Baltimore, State of Maryland for more than two years prior to the filing of this bill?

A She has.

Q Is the defendant a resident of the State of Maryland?

A No, sir.

Q Where was he when you last heard of him?

A In North Carolina.

Q Are there any minor children as result of this marriage?

A No, sir.

Q Has Mr. Madell contributed anything towards the support of his wife since he put her out?

A No, sir, she has supported herself all the time.

GENERAL QUESTION

Do you know or can you state any other matter or thing that may be to the benefit or advantage of 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.

A. no

Cleo J. Maddell

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 sixteenth..... day of July..... in the year of Our Lord nineteen hundred and twenty-six..... at the City of Baltimore, in the State of Maryland.

A. de Russy Sappington (SEAL).
Examiner.

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

Defendant's..... Exhibit \.....

A. de Russy Sappington
Examiner.

I, A. de RUSSY SAPPINGTON, 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.....

A. de Russy Sappington
Examiner.

Circuit Court

138
1926

Docket No. 66B

Roxie Waddell

vs.

Wesley Waddell

Order of Reference
and Report

Lyon

No. 30532

(5)

Order Filed *16th* day of *July* 19*26*
Report Filed *27* day of *July* 19*26*

Roxie Maddell

vs.

Wesley Maddell

IN THE
Circuit Court

OF
BALTIMORE CITY

July Term, 1926
15th

This case being submitted, without argument, it is ordered by the Court, this
day of July, 1926, that the same be and it is hereby referred to
Wm P Lyons, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

Duke Bond

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the wife against
her husband on the ground of abandonment. Code Art. 16, Sec. 37-42.
Defendant proceeded against as a non-resident and his non-resi-
dence proven.
Plaintiff's residence in Baltimore City for more than two years
prior to the filing of the bill proven.
The marriage proven.
Abandonment uninterruptedly for three years, its finality and
the irreconcilability of the parties proven.
Decree pro confesso was passed against the defendant and more
than thirty days have since elapsed.
Case ready for decree.

William P. Lyons
Auditor and Master

July 27, 1926

1
CIRCUIT COURT

B. 138
1926 No. Docket

ROXIE WADELL

vs.

WESLEY WADELL

Recorded

File 209 1926

Decree of Divorce

B No. 30532

(6)

Ad 29 July 1926

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

William P. Lyons
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

ROXIE WADELL

VS.

WESLEY WADELL

July Term, 19 26

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

It is thereupon, this 29 day of July, A. D. 1926, by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

----- ROXIE WADELL, -----

the above named Complainant be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, WESLEY WADELL;

And it is further Ordered, That the said Roxie Wadell, Complainant, ----- pay the cost of this proceeding.

Joseph N. Bluman