

1326/1926

IN THE CIRCUIT COURT NO. 2  
OF  
BALTIMORE CITY

JAMES HERMAN PAGE,  
Complainant,

vs.

HATTIE E. PAGE,  
Respondent.

1327 W. Carey St

BILL OF COMPLAINT.

Mr. Clerk: Please file.

No 26729. B

*Charles W. Main*  
Solicitor for Complainant.

CHARLES W. MAIN  
Attorney at Law  
214 St. Paul St.  
Baltimore, Md.

FILED 10<sup>th</sup> April 1926

JAMES HERMAN PAGE, : IN THE  
Complainant, :  
vs. : CIRCUIT COURT NO. 2  
HATTIE E. PAGE, : OF  
Respondent. : BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

The Complainant, James Herman Page, respectfully represents to the Court as follows:-

FIRST: That the Complainant and the Respondent were married in the City of Baltimore, State of Maryland, on the 6th day of April, 1921, by a regularly ordained Priest of the Roman Catholic Church, officiating at St. Catherine's Church.

SECOND: That both the Complainant and the Respondent are residents of the City of Baltimore, State of Maryland, and have resided therein for more than two years last past.

THIRD: That one child was born to the union of the parties hereto, namely, Calvin H. Page, four years of age.

FOURTH: That on or about the 4th day of June, 1924, the Respondent, the said Hattie E. Page, deserted and abandoned the Complainant and declared her intention to live with him no longer; that the Respondent, the said Hattie E. Page, has been guilty of the crime of adultery with one William Dixon and other lewd and disreputable men in the City of Baltimore during the year 1924 and 1925; that the Complainant has not lived nor cohabited with the Respondent since he became aware of her misconduct, nor has he in any way forgiven or condoned her said adulterous acts.

WHEREFORE, the premises considered, the Complainant prays:

(a) That he may be divorced a vinculo matrimonii from the Respondent, the said Hattie E. Page, his wife.

(b) That he may be awarded the care and custody of the infant child, namely, Calvin H. Page, four years of age.

(c) That he may have such other and further relief as the Court may deem meet and proper and the exigencies of his case may require.

MAY IT PLEASE YOUR HONOR, to grant unto the Complainant the writ of subpoena, directed to the Respondent, the said Hattie E. Page, residing in the City of Baltimore, State of Maryland, commanding her to be and appear in this Honorable Court on some certain day to be named therein, to answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

Charles W. Main  
Solicitor for Complainant.

x J. Herman Page  
Complainant.

STATE OF MARYLAND, :  
CITY OF BALTIMORE, :

To wit:-

I HEREBY CERTIFY, That on this \_\_\_\_\_ day of April, 1926, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, aforesaid, personally appeared James Herman Page, Complainant in the above entitled cause, and he made oath in due form of law that the matters and facts set forth in the aforesaid Bill of Complaint are true to the best of his knowledge, information and belief.

\_\_\_\_\_  
Notary Public.

P 204

Ct. Ct. No. 2

261  
1926

B

Docket No. 3 A

Jugel

vs.

Jugel

Subpoena to Answer Bill of Complaint

P 20

No. 26729 B  
2

Copy - copied

Filed 12<sup>th</sup> April, 1926

Charles H. Mann

Solicitor.

14

John E. Patto  
Sheriff

Now est  
(Kaylor)

EQUITY SUBPOENA

The State of Maryland

To

Wattiel E Page  
1327 W. Carey St

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 April, next, cause an appearance to be entered for you, and your Answer to be filed to the Complaint of

James Herman Page

against you exhibited in the CIRCUIT COURT NO. 2 OF BALTIMORE CITY.

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

WITNESS, the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore City, the 8 day of March, 1926

Issued the 10th day of April, in the year 1926

John Pleasants  
Clerk.

MEMORANDUM:

You are required to file your Answer or other defence in the Clerk's Office, Room No. 235, in the Court House, Baltimore City, within fifteen days after the return day. (General Equity Rule 11.)

IN THE CIRCUIT COURT NO. 2

OF

*B 261*  
*1926*

BALTIMORE CITY.

JAMES HERMAN PAGE

*627 Cumberland St.*

VS.

HATTIE PAGE

RESPONDENT'S ANSWER

Mr. Clerk:-

Please file.

*Davis & Evans*

ATTORNEYS FOR RESPONDENT

*No 26729 B.*  
*3*

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

*Filed April 1926*

JAMES HERMAN PAGE : IN THE CIRCUIT COURT NO.2

VS. : OF

HATTIE PAGE : BALTIMORE CITY.

The TO THE HONORABLE, THE JUDGE OF SAID COURT:

The answer of your Respondent to the above entitled case respectfully says:

1. That she admits the allegations in the first paragraph of the plaintiff's bill.
2. That she admits the allegations in the second paragraph of the plaintiff's bill.
3. That she admits the allegations in the third paragraph of the plaintiff's bill.
4. That she denies with great emphasis that she has committed the crime of adultery with William Dixon or any other men.
5. Your respondent further states that she is destitute and without means of financing the expenses of this suit and that she is advised by Counsel that she is entitled to have an order passed by this Honorable Court awarding some amount as alimony pendente lite, permanent alimony and some amount to compensate her Solicitors. The <sup>Plaintiff</sup> ~~Respondent~~ is employed and earns twenty-one hundred dollars per year.

WHEREBY having answered the material allegations of this bill, your respondent prays:

- (a) Alimony pendente lite.
- (b) Permanent alimony.
- (c) Counsel fee
- (d) The care & custody of the minor child

(c) That the bill be dismissed with costs to the plaintiff.

Hattie Page.  
Respondent

Davis & Evans  
SOLICITORS FOR RESPONDENT.

STATE OF MARYLAND, BALTIMORE CITY, to wit:-

I HEREBY CERTIFY, that on this 13<sup>th</sup> day of April, in the year one thousand nine hundred and twenty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City aforesaid personally appeared Hattie Page and made oath in due form of law that the matters and facts in the foregoing answer are true as therein stated.

AS WITNESS my hand and Notarial Seal.

Helen C. Fisher  
NOTARY PUBLIC.



IN THE CIRCUIT COURT NO. 2

OF

*B266/1926*

BALTIMORE CITY

JAMES HERMAN PAGE,  
Complainant,

vs.

HATTIE E. PAGE,  
Respondent.

ANSWER TO PETITION AND  
ORDER NISI

Mr. Clerk: Please file.

*No 26729 B.*  
*6*

*Charles W. Main*  
Solicitor for Complainant.

CHARLES W. MAIN  
Attorney at Law  
214 St. Paul St.  
Baltimore, Md.

FILED

*3rd 9th day 1926*

JAMES HERMAN PAGE : IN THE CIRCUIT COURT NO. 2  
VS. : OF  
HATTIE E. PAGE : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

The answer of James Herman Page to the petition and order for alimony and counsel fee served on him on the 29th day of April, 1926, this Complainant answering said petition says:

FIRST: That he denies that his wife, the said Hattie E. Page, is in destitute circumstances and has no means of retaining counsel and supporting herself. Further answering said petition this Complainant says that his wife, the said Hattie E. Page, is employed in an apartment house at Charles and Thirty-third Streets, and also lives with her father, and that she receives a salary of between Ten and Fifteen Dollars per week.

SECOND: That during the month of June, 1924, and just after the Respondent, the said Hattie E. Page, had deserted and abandoned this Complainant, the Complainant and the Respondent made an agreement that he should pay Five Dollars per week towards the support and maintenance of their infant child, Calvin H. Page, and that he has been and is now paying Five Dollars per week towards the support and maintenance of their infant child.

WHEREFORE, having answered said petition in so far as he is advised it is material so to do, this Respondent prays that the amounts set forth in the order nisi for alimony and counsel fee may be reduced.

Charles W. Main  
Solicitor for Complainant.

James Herman Page  
Complainant.

Charles H. Hain

87 ✓

✓

170

Cir. Ct. No. 2

261  
192 6

Docket No. B 35

J. Herman Page

vs.

Mathe E. Page.

**MOTION FOR HEARING**

No. 26729 B  
7

Filed 17<sup>th</sup> May 192 6

Davis and Evans

James Herman Page

IN THE

Circuit Court No. 2

OF

BALTIMORE CITY

vs.  
Hattie E. Page

The Defendant

by Davis Evans

her

Solicitor, applies to have the above entitled cause placed in the

Trial Calendar for hearing on Alimony pendente lite and Counsel

fee

In conformity with the First Equity Rule.

Davis Evans

Solicitor for Defendant

Serve on

214 St Paul

Charles W. Main  
Solicitor

Service admitted this 19<sup>th</sup>  
day of May, 1926.

Charles W. Main  
Pres. M. S.

87

Cir. Ct. No. 2

261  
1926

B

Docket No. 35

Pargel

vs.

Pargel

NOTICE AS TO HEARING

(1)

No. 26729 B  
8

Copies Copied

Filed 17<sup>th</sup> May, 1926

H

Copy of the within Notice served on Charles W. Main,  
Solicitor on the 19<sup>th</sup> day of May, 1926, in the  
presence of John Maylaw. John E. Potec  
Sheriff  
Fee \$0.50

*James Howard Page*

vs.

*Walter E. Page*

IN THE  
**CIRCUIT COURT, No. 2**  
OF  
BALTIMORE CITY.

Upon application made by the Solicitor for the *Defendant*

the above entitled cause has been placed upon the Trial Calendar in accordance with the provisions

of the First Equity Rule, and the same will stand for hearing on *Thursday*

*next*

when reached in due course on the said calendar.

JOHN PLEASANTS,

Clerk Circuit Court No. 2.

Ct. Ct. No. 2

B.  $\frac{261}{1926}$

J. Herman Page

vs.

Hattie E. Page

Final Order, Counsel Fee and Alimony  
*Pendente Lite,*

No.  $\frac{26729}{9}$  B.

Filed

21<sup>st</sup> May

1926

*J. Herman Page*

vs.

*Hattie Page*

IN THE  
**CIRCUIT COURT No. 2**  
OF  
BALTIMORE CITY.

The petition for Alimony pendente lite and Counsel fee and the answer thereto in the above entitled cause coming on for final hearing and the respective parties having been heard;

It is Ordered by the Circuit Court No. 2 of Baltimore City this *21<sup>st</sup>* day of *May* 1926, that the *plaintiff* pay to the *Defendant* the sum of \_\_\_\_\_ Dollars, as Counsel Fee for the Solicitor of the \_\_\_\_\_ and that he further pay the sum of *Fourteen* Dollars per week, during the continuance of this suit, to the said *Hattie E. Page* as Alimony pendente lite accounting from the *21<sup>st</sup>* day of *May* 1926

*Payable through the prisoners Aid Association,*

*Henry Doozy*



June 1st 215th Paul

Davis & Evans

Solicitors

Service admitted  
this 1st day of June 1926

Davis & Evans  
Solicitors

261  
19 26

Docket No. B

51 18  
**CIRCUIT COURT #2**

James Herman Page

VS.

Hattie E. Page

PETITION AND ORDER TO  
TAKE TESTIMONY UN-  
DER 30th RULE

No. 26729 B  
10

Copy = copied

Fd 25th May 1926

H

Copy of the within Petition and Order of Court received  
on Davis and Evans, Solicitors on the 1st day of  
June, 1926, in the presence of W. L. Jeffe,  
John E. Potter  
Sherriff  
Fees \$0.50

James Herman Page

VS.

Hattie E. Page

IN THE  
Circuit Court No. 2  
OF  
BALTIMORE CITY

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

The plaintiff in this case respectfully shows unto your Honor:

THAT he desires to examine orally, in open Court and in the presence of your Honor, certain witnesses who can testify to the facts and matters relevant to the allegations in the Bill of Complaint filed in this case.

Your petitioner therefor prays your Honor to pass an order, according to the Statutes for such case made and provided.

And as in duty bound will ever pray.

*Charles M. Main*

Solicitor for Plaintiff.

Upon the foregoing Petition and Application it is this 25<sup>th</sup> day of May  
A. D., 19 26, Ordered that the petitioner have leave to take testimony as prayed and that the  
testimony to be offered be taken as required by the 30th Rule of this Court. And it is further Ordered  
that a copy of this petition and order be served on the Defendant or her  
Solicitor, on or before the 1<sup>st</sup> day of June, 1926.

*James P. Gorter*

Perme on  
James Karwan Pargel  
627 Cumberland St

35 B Docket  $\frac{261}{1926}$

CIRCUIT COURT No. 2

Pargel

vs.

Pargel

Order Counsel Fee and Alimony  
Pendente Lite  
Husband Plaintiff

ORDER

No. 2167219 B.

(H.) (57)

Copy - Copied  
Copy made - copied

Filed 16<sup>th</sup> April 1926

14

John E. Galt,  
Attorney

new Oct.  
#1042026  
(2nd Return)  
Copy of William Galt's of Court, served on  
James Karwan Pargel on the 29<sup>th</sup> day of April  
1926 in presence of Joseph H. Galt, body

Fee \$0.50

John E. Galt  
- Henry

James Herman Tager

IN THE

CIRCUIT COURT No. 2

vs.

OF

Kallie E Tager

BALTIMORE CITY

March, TERM, 1926

ORDERED BY THE COURT, this 16<sup>th</sup> day of April 1926

that the Plaintiff James Herman Tager

pay to the Defendant Kallie E Tager

the sum of Thirty-five Dollars as Counsel Fee for the

Solicitor of the Defendant, and that he further pay the sum of fourteen

Dollars per week, during the continuance of this suit, to the said Defendant

Kallie E Tager

as Alimony, pendente lite, unless cause to the contrary be shown on or before the 1<sup>st</sup>

day of May 1926, provided a copy of this Order be served on the said Plaintiff

James Herman Tager on or before the 21<sup>st</sup>

day of April 1926.

Charles F. Stur

The foregoing Order having been returned "Non Est" as appears by No. 2 the Sheriff's return thereon; it is Ordered by the Circuit Court of Baltimore City this 28 day of April 1926, that the time for showing cause under said Order be extended to the 13<sup>th</sup> day of May 1926, and the time for service of a copy of the same be extended to the 7<sup>th</sup> day of May 1926.

James P. Gorter

+

IN THE CIRCUIT COURT NO. 2

OF

35B<sup>261</sup>  
1926

BALTIMORE CITY

JAMES HERMAN PAGE

VS.

HATTIE PAGE

(IN CROSS BILL)

HATTIE PAGE

VS.

JAMES HERMAN PAGE

627 Cumberland St.

CROSS-BILL

Mr. Clerk:-

Please file.

No 26729B

Davis & Evans

ATTORNEY FOR PLAINTIFF IN  
CROSS BILL.

~~Service admitted on the~~  
day of \_\_\_\_\_ 1926

DAVIS & EVANS

ATTORNEYS AT LAW

By 30<sup>th</sup> September 1926

JAMES HERMAN PAGE : IN THE CIRCUIT COURT NO.2

VS. : OF

HATTIE PAGE : BALTIMORE CITY

(IN CROSS BILL)

HATTIE PAGE : IN THE CIRCUIT COURT NO.2

VS. : OF

JAMES HERMAN PAGE : BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining, says:

1. That heretofore, to wit: James Herman Page, the husband of your Oratrix, filed his bill of complaint against her in this Court, alleging among other things that your Oratrix had committed the crime of adultery and thereupon the said James Herman Page prayed that he might be divorced A Vinculo Matrimonii from your Oratrix.

2. That your Oratrix has answered said Bill of Complaint, and in her answer has shown that James Herman Page is not entitled to any relief from this Honorable Court.

3. That prior to the time of the commission of the crime of adultery as alleged in the Plaintiff's Bill, the plaintiff did on divers and numerous occasions, commit the crime of adultery with one Carlitta Johnson and other lewd and abandoned women, whose names will be disclosed at the hearing of this Cross Bill.

4. That your Oratrix has not lived or co-habited with the

plaintiff since the discoveries of the adulteries complained of.

TO THE END, THEREFORE:

I. That your Oratrix may be divorced <sup>Vinculo</sup> ~~A Mensa et Thoro~~ from the said James Herman Page.

2. That your Oratrix may have the care and custody of the minor child, Calvin Page.

3. 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 Writ of Subpoena directed against the said James Herman Page 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.

*Davis & Evans*

ATTORNEY FOR PLAINTIFF IN CROSS BILL

*11/19/20 Amended motion  
on motion amended by  
crasure and whole motion  
so that prayer is for divorce  
vinculo  
Charles F. Shen*

1398

Ct. Ct. No. 2

161  
1926

B

Docket No. 35

Page

vs.

627 Cumberland

Port off. in  
Page

Subpoena to Answer Bill of Complaint

Prova Bote

No. 26729 B  
12

Copy Expired

Filed 8 October, 1926  
Davis & Evans

Solicitor.

14

Summoned James Herman Page, and a copy of the  
Process, with a copy of the Bill of Complaint, served  
on the defendant on the 4<sup>th</sup> day of October 1926, in  
presence of Michael J. McKinley.

John E. Pater  
Sheriff

Rec \$1.30



EQUITY SUBPOENA

The State of Maryland

To

*James Beruan Page*  
*627 Cumberland and St*

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 *October*, next, cause an appearance to be entered for you, and your Answer to be filed to the Complaint of

*Kattel & Page*

against you exhibited in the CIRCUIT COURT NO. 2 OF BALTIMORE CITY.

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

WITNESS, the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore City, the *14<sup>th</sup>* day of *September*, 1926  
Issued the *30<sup>th</sup>* day of *September*, in the year 1926

*John P. Casato*  
Clerk.

MEMORANDUM:

You are required to file your Answer or other defence in the Clerk's Office, Room No. 235, in the Court House, Baltimore City, within fifteen days after the return day. (General Equity Rule 11.)

35B  
261

James Herman Page

versus

Hattie E. Page

Circuit Court #2

Petition to intervene.

Mr. Clerk:  
Please File.

*James Fluegel*

Solicitor for Carlitta Johnson,  
Petitioner herein, and Amicus  
Curiae.

*No 26729B*  
*13*

*By 11<sup>th</sup> October 1926*

James Herman Page  
versus  
Hattie E. Page  
  
Hattie E. Page  
versus  
James Herman Page

)  
)  
)  
)  
)  
)  
)

In the Circuit Court #2  
  
of  
  
Baltimore City.

To the Honorable, the Judge of Said Court:

The Petition of Carlitta Johnson, respectfully shows unto Your Honor, as follows:


1. That heretofore<sup>in</sup> a cross bill of complaint, between the parties to this cause, Your Petitioner was named as a co-respondent, herein, by Hattie E. Page, the wife of the plaintiff, in the above entitled cause.

2. That the naming of Your Petitioner as such co-respondent was purely malicious, on the part of the said Hattie E. Page, and without foundation in fact, for the sole purpose of injuring Your Petitioner in her standing, as a school teacher, in Baltimore City, in which vocation she has stood high, for the past ten years. That the said Hattie E. Page, threatened Your Petitioner, that she would "Get her job", away from her, and cause her to lose her position, and pursuant thereto, named Your Petitioner as a co-respondent herein.

3. That Your Petitioner through her solicitor, James Fluegel, Esq., as Amicus Curiae, desires to be permitted to intervene, in these proceedings, and to offer evidence on her own behalf, in this cause, subject to cross-examination, in due course, showing that she is entirely innocent of any wrongdoings, with the plaintiff, James Herman Page, and that any charges, made against her, herein, are false, malicious, and imaginary, on the part of the said Hattie E. Page.

Wherefore Your Petitioner prays, that Your Honor grant her leave to intervene, herein, as aforestated.

As in duty bound, etc.,

  
Solicitor for Carlitta Johnson, the  
Petitioner herein, and Amicus  
Curiae

Ct. Ct. No. 2

261  
192 6

B

No.

Docket

31

Page

vs.

Page

**SUMMONS FOR WITNESS**

No.

26729 B  
14

Filed

15

day of

Jan

1926

In the Circuit Court No. 2 of Baltimore City

January Term, 1926

The Sheriff will please summon the following witnesses,

returnable on Monday the 15<sup>th</sup> day of January 1926 at 10 o'clock A. M.

Samuel Bell 1327 1/2 Carey St

Lloyd Farmer 633 Daphnia St

to testify for Defendant  
in the case of

James Berenson Page  
vs. Kathie E Page

John Peasants  
Clerk of Circuit Court No. 2 of Baltimore City.

Page

vs.

Page

633 Dolphin St  
Circuit Court No. 2 of Baltimore City

Term, 1926

Mr.

Lloyd Fanner

You are hereby summoned to attend this Court

on Monday the 15 day of NOV 1926 at 10 o'clock

A. M., to testify for Defendant

Baltimore, 11/13 1926

By order of the Court,

JOHN E. POTE, Sheriff of Baltimore City

Be punctual in attendance or you will be attached.  
FLOOR 2, ROOM 241, COURT HOUSE

Deputy No. 10

Non Est

Not at this address  
and cannot locate  
Party

~~Busy~~

CHAS. COOK

of the Court

of the Court

35 B Hooket <sup>261</sup> 1926

IN THE CIRCUIT COURT NO. 2  
OF  
BALTIMORE CITY.

JAMES HERMAN PAGE,  
Complainant,  
vs.  
HATTIE E. PAGE,  
Respondent.

CROSS BILL.

HATTIE E. PAGE,  
Complainant,  
vs.  
JAMES HERMAN PAGE,  
Respondent.

ANSWER TO  
CROSS BILL OF COMPLAINT.

Mr. Clerk: Please file.

40 26729 B  
157

*Charles W. Main*  
Solicitor for James Herman Page

CHARLES W. MAIN  
Attorney at Law,  
214 St. Paul St.  
Baltimore, Md.

FILED 18 Youen 18926



JAMES HERMAN PAGE,	:	
Complainant,	:	
	:	IN THE
vs.	:	
	:	
HATTIE E. PAGE,	:	
Respondent,	:	CIRCUIT COURT NO.2
	:	
<u>CROSS BILL</u>	:	
	:	
HATTIE E. PAGE,	:	OF
Complainant,	:	
	:	
vs.	:	
	:	BALTIMORE CITY.
JAMES HERMAN PAGE,	:	
Respondent.	:	

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

The answer of James Herman Page, Complainant in the above entitled cause, to the Cross Bill of Complaint heretofore filed in this Honorable Court exhibited, this Complainant says:

FIRST: That he admits all and singular the material allegations alleged in the first paragraph of said Cross Bill of Complaint.

SECOND: That he denies most emphatically the material allegations set forth in the second paragraph of said Cross Bill of Complaint. And further answering the second paragraph of said Cross Bill of Complaint, this Complainant says that the Respondent, Hattie E. Page, by her answer has not shown in any way that this Complainant is not entitled to relief under his Bill of Complaint.

THIRD: That he denies most emphatically each and every one of the material allegations alleged in the third and fourth paragraphs of said Cross Bill of Complaint.

And having answered said Cross Bill of Complaint and each paragraph thereof, in so far as he is advised it is material so to do, this Complainant prays to be hence dismissed.

James Herman Page.  
Complainant in Original Bill.

Charles H. Main  
Solicitor for Complainant in Original  
Bill and Respondent in Cross Bill.

Ct. Ct. No. 2

461  
192 6

No. 35 Docket B

Page

vs.

Page

**SUMMONS FOR WITNESS**

No. 26729 B  
18.

Filed 19 day of Jan 192 6

In the Circuit Court No. 2 of Baltimore City

November Term, 1926

The Sheriff will please summon the following witnesses,

Kindly summons the following witnesses to testify at the hearing to be held on Friday, November 19th, 1926, at 10 o'clock.

- 10 Miss Iola Cavill, 430 W. Biddle Street,
- 11 Mrs. Cora Johnson, 1503 Druid Hill Avenue,
- 11 Mrs. George Holland, 1631 Druid Hill Avenue,
- 11 Mr. P. Grafton Johnson, 1503 Druid Hill Avenue,
- 11 Mrs. Eliza Person, 2023 Madison Avenue,
- 10 Miss Carlitta Johnson, 432 W. Biddle Street,
- 3 Mr. William J. Green, 109 E. Pleasant Street,
- 3 Mr. William H. Holmes, 109 E. Pleasant Street.

to testify for

Kearey

in the case of

Page

Page

vs.

John Pleasant

Clerk of Circuit Court No. 2 of Baltimore City.

Ct. Ct. No. 2

886

B

192 6

No. 35 Docket

Page 1

vs.

Page 1

**SUMMONS FOR WITNESS**

No. 26729 B  
17.

Filed 22 day of Jan 1925

In the Circuit Court No. 2 of Baltimore City

November Term, 1926

The Sheriff will please summon the following witnesses,

returnable on Monday the 22nd day of November 1926 at 10 o'clock A. M.

Lloyd Farmer 733 Daphne St

to testify for Defendant  
in the case of Page vs. Page

John Pleasant  
Clerk of Circuit Court No. 2 of Baltimore City.

Ct. Ct. No. 2

886  
192 6

No. 35 Docket B

Page

vs.

Page

**SUMMONS FOR WITNESS**

No. 26729 B  
18.

Filed 22 day of June 1926

In the Circuit Court No. 2 of Baltimore City

*December* Term, 192 *6*

The Sheriff will please summon the following witnesses,

returnable on *Immediately* the \_\_\_\_\_ day of \_\_\_\_\_ 192 at \_\_\_\_\_ 10 o'clock A. M.

*3* *Quastain Kessel*  
*1051 E Pleasant St*  
*of Mr. Korman*

to testify for *Korman*  
in the case of \_\_\_\_\_

*Page*  
vs. *Page*

*John Pleasant*  
Clerk of Circuit Court No. 2 of Baltimore City.

Ct. Ct. No. 2

261  
192 6

No. 35 Docket B

J. Herman Page

vs.

Hattie Page

**SUMMONS FOR WITNESS**

No. 26729 B  
18

Filed 23<sup>rd</sup> day of Jan 192 6



to the page

John P. Casper  
Clerk of Circuit Court No. 2 of Baltimore City.

In the Circuit Court No. 2 of Baltimore City

*Nov* Term, 1926

The Sheriff will please summon the following witnesses,

returnable on *immediately* the *02<sup>nd</sup>* day of

*Nov* 192*6* at *10* o'clock A. M.

*Francis A Gray SA 1719 Presbury St*

to testify for *Defendant*

in the case of ~~*Page vs Page*~~

*J Herman Page* vs. *Hattie Page*

*John Papasauto*  
Clerk of Circuit Court No. 2 of Baltimore City.

Ct. Ct. No. 2

761  
192 6

No. .... Docket .....

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Jayel

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vs.

Jayel

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**SUMMONS FOR WITNESS**

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No. 26729 B  
19

Filed 23<sup>rd</sup> day of Jan 192 6

In the Circuit Court No. 2 of Baltimore City

*November* Term, 192*6*

The Sheriff will please summon the following witnesses,

returnable on *Immediately* the ..... day of  
..... 192..... at ..... 10 o'clock A. M.

*William Dixon SA*  
*1402 Penna Ave*

to testify for .....

in the case of .....

*Pearcy* *Page*  
vs. *Page*

*John Pearcy*  
Clerk of Circuit Court No. 2 of Baltimore City.

Ct. Ct. No. 2

886  
192 6

B

No. 35 Docket

Page

vs.

Page

**SUMMONS FOR WITNESS**

No. 26729 B  
20

Filed 29 day of June 1926

In the Circuit Court No. 2 of Baltimore City

*January* Term, 1926

The Sheriff will please summon the following witnesses,

returnable on *Monday* the *29<sup>th</sup>* day of *January* 1926 at *10* o'clock A. M.

*14 William D. Fox 1402 Pennsylvania Ave*

to testify for  
in the case of

*Reuben M. X Pargel*  
vs. *Pargel*

*John P. Casanto*  
Clerk of Circuit Court No. 2 of Baltimore City.

STENOGRAPHIC RECORD

IN THE MATTER OF

IN THE CIRCUIT COURT NO. 2 OF BALTIMORE CITY.

JAMES HERMAN PAGE,

VS

HATTIE E. PAGE, and  
CROSS BILL.

BEFORE: STEIN, J.,

Docket B-261 - 1926.

\*\*\*\*\*

*No 26779 B*  
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(INDEX INSIDE)

TRANSCRIPT FROM NOTES OF

CLARENCE P. GOETZ

Official Court Reporter

EQUITABLE BUILDING  
BALTIMORE, MD.

OFFICE AND HOME  
TELEPHONES

*For 22nd December 1926*





IN THE CIRCUIT COURT NO. 2 OF BALTIMORE CITY.

\*\*\*\*\*

JAMES HERMAN PAGE,	)	
	)	BEFORE: STEIN, J.,
vs	)	
	)	Docket B-261 - 1926.
HATTIE E. PAGE, and	)	
CROSS BILL.	)	*****

Friday, November 19th, 1926.

The above entitled cause came on for hearing before his Honor, Judge Charles F. Stein, on Friday, November 19th, 1926, at 2.15 P. M.

Mr. Charles W. Main and Mr. James Fluegel appeared in behalf of the Plaintiff.

Mr. J. Steward ~~D~~ Davis and Mr. George W. Evans, appeared in behalf of the Defendant.

\*\*\*\*\*

THE COURT: Get ~~it~~ right down to the issues. The marriage and everything else is admitted, isn't it?

MR. MAIN: The marriage-- does your Honor want to state it?

THE COURT: Everything is admitted but the charge of adultery on both sides, isn't it?

MR. MAIN: That is it exactly.

\*\*\*\*\*

Thereupon - - -

WILLIAM J. GREEN,

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:

DIRECT EXAMINATION.

By Mr. Main:

Q Where do you live. Mr. Green?

A 1318 Lanvale Street.

Q What is your business now?

A Investigator.

Q Do you know the parties to this suit, Mr. and Mrs. Page?

A I do.

Q How long have you known Mr. Page?

A Five or more years.

Q How long have you known Mrs. Page?

A About the same.

Q Were you employed by Mr. Page to make an investigation for him?

A Yes, sir.

Q About when?

A About April 1st of this year.

Q Did you associate any one with you in those investigations?

A I did.

Q What is the name of your associate?

A William Holmes.

Q How long have you been in your present business?

A About eleven months.

Q And you were formerly employed as what?

A As a Federal Agent with the United States Government.

Q Prior to that time, what did you do?

A Inspector for the United Railways, this city.

Q What was the first thing you did after you were employed by Mr. Page?

A I had been—

THE COURT: Get him down to what he did in so far as the charge is concerned. The first thing he did, he might have presented a bill and got paid.

Q What was the first thing you did with respect to the investigations you were employed to make in this case?

A I began the investigations about April 4th. On the night of April 5th, about 8.30 P. M. in company with Holmes, we drove an automobile up in the 1700 block of Carey Street, just below the house where Hattie Page now lives—

Q Where did she live that day?

A 1732.

Q North Carey?

A North Carey.

Q All right?

A We parked the automobile just below the house—

THE COURT: What was the number of that house?

THE WITNESS: It isn't 1732, I think it is 1432 instead of 17.

THE COURT: That is where Mrs. Page lives, 1432?

THE WITNESS: North Carey.

Q (By Mr. Main): With whom does Hattie Page live there?

THE COURT: How would he know that, he can only know by someone telling him. Did Mrs. Page ever tell you she lived there?

THE WITNESS: Only that I have seen her and her husband said he lived there with her—

THE COURT: The question is with whom does she live there.

Q (By Mr. Main): Were you in the house at any time?

A No, sir.

Q Have you talked with Hattie Page about where she lived and with whom she lived?

A I talked with her at that house since the investigation.

Q What did she say?

A We had a general conversation—

THE COURT: What did she say about with whom she lived?

THE WITNESS: She did not say anything regarding whom she lived with.

Q (By Mr. Main): Just tell in your own way what you

did after you went up with your automobile in front of her residence on North Carey Street?

A We parked the machine there about 8.30 —

Q Who was with you?

A Holmes and myself. I then left the machine and walked directly across the street opposite the house in which Hattie Page lived. There I saw her in the front room on the second floor dressing, I could recognize her through the window with the lights lit in that room.

Q What time was that?

A About 8.30 or 8.35.

THE COURT: How were the shades?

THE WITNESS: They were up, with the window open.

THE COURT: That was when?

THE WITNESS: The night of April 5th.

Q Of this year?

A Yes, sir, Monday night.

Q Proceed?

A I went back to the automobile and got a seat in the car and there remained until about 8.45. About 8.45 a Buick automobile drove up bearing license 44353, and

parked in front of the door. A man left the automobile and went immediately to the steps. I think he rang the bell and passed for a while at the door and the door was opened and he went in. He remained in the house about four minutes and he and Hattie came out of the house and entered the automobile together. I immediately started my motor about the same time he started his. I followed the automobile north on Carey Street to Presstman Street, east on Presstman street to Madison Avenue, south on Madison Avenue to St. Mary's Street, St. Mary's Street to a small alley in the rear of Smith's Hotel, in the alley, up to the rear of Smith's Hotel to the back entrance. There is a back entrance to the hotel from the rear and there Hattie left the automobile, entered the hotel and went upstairs--

Q Where is Smith's Hotel?

THE COURT: Why do you call her by her first name, do you know her?

THE WITNESS: Well, Mrs. Page.

MR. MAIN: Call her Mrs. Page.

THE COURT: I do not care but I do not think that is a respectful way to talk about a married woman.

Q Where is Smith's Hotel?

A Between St. Mary's and Eutaw Street on Druid Hill Avenue, facing Paca.

Q What time did your machine reach there about?

A Reached there about seven or eight minutes after they left the house. They left the house about 8.45 and they reached there seven or eight minutes later.

Q Just proceed and tell what you saw after they got to the hotel?

A I parked my car on St. Mary's Street right at the corner of the alley in the rear of the hotel. I left the car, walked in the alley as close as I could to the machine without being discovered. I saw Hattie-- Mrs. Page-- leave the car, entered the rear door of the hotel. The Buick automobile drove away out of the alley. Both Holmes and myself followed Mrs. Page to the rear entrance and in the rear entrance and up the rear steps, I followed her up the second floor to the hall; she went straight down the hall toward the front of the hall, up the flight of steps to the third floor, there entering room 18. Room 18 is situated on the lefthand side of the hotel in



sort of an alcove. I went to the corner of the alcove and saw her go in the door, and there we secreted ourselves on that floor for about ten minutes, more or less, it might have been fifteen minutes; ten minutes anyhow. Then the man whom we had seen in the automobile returned, came in the hall and upstairs to this room. It was then I discovered the man that was in the automobile and driving the car was a William Dixon. I did not know him at that time by the first name, I knew the last name. I saw him enter the room and close the door. After he had gone into the room and closed the door, I waited quite some time, fully fifteen or twenty minutes, and there was quite a bit of conversation we could not hear exactly. I left the third floor of the hotel, Holmes staying there watching the room, went down to the front of the hotel, down the front steps, out into the street, and, as had been previously arranged that Mr. Page would be found at one of two places during the time we were making the investigation. He was across the street in an automobile, opposite the lunchroom that is directly facing the hotel, and while out there talking to him, telling him what had happened,

a fight started—

Q Don't talk about the fight, did you go back to the hotel with Mr. Page?

A But there was one other incident before going back.

Q Go ahead?

A There was something that attracted the attention of the people in the hotel and from every room that was occupied or nearly every room, I guess, people looked out to see what was wrong and from the big electric light that was flashing in front of the hotel, one can recognize anybody looking out of the window. We saw Mrs. Page and Dixon look out of the third story window, which is room 18, the room we had watched at the same time Holmes was in the hotel, where I had left him. So at that time I called Mr. Page's attention to them at the window and he saw them. We then entered the hotel and there remained for an hour and a half or longer. We listened to quite a bit of conversation, saw the lights go out in the room, and then Mr. Page alarmed the door in my presence and in the presence of Holmes. In rapping on the door, Dix-

on answered--

THE COURT: That is, the door of room 18?

A (Continuing): The door of room 18. He answered and I recognized his voice. I knew him and had been with him during that day in his company. Mr. Page said in my presence, asked him to come outside, he wanted to talk to him and Mrs. Page on the inside said to Dixon in the room, "That is my husband Herman, don't open that door." We heard the conversation from the outside. The door was not opened and Herman said, "Well, I won't annoy you to the extent of breaking the door open and won't create that disturbance," so we waited about fifteen or twenty minutes and Mr. Page and he had some conversation with the closed door and Mr. Page went downstairs. We remained in the hall about twenty five or thirty minutes longer, making the complete time about two hours and a half or more and then we left.

Q Did you see anyone come out of that room?

A No one came out from the time they went in until we left the door, it was covered the whole time.

Q About what time did you and Mr. Holmes leave the

hotel?

A Near twelve o'clock.

THE COURT: Why didn't you get the proprietor to open the door?

THE WITNESS: The proprietor was not present.

THE COURT: But someone was present, couldn't you have gone downstairs and gotten the clerk to open the door?

THE WITNESS: I would have done as much but I don't think it was possible.

Q (By Mr. Main): How could you tell the lights went out in the room?

A There were three or four different ways to tell. You can tell from the outside before going downstairs and we saw from the keyhole and cracks under the door too, that the lights were out when we went up.

Q Did you have any conversation with Mrs. Page that night?

A I did not.

Q Did her husband, Mr. Herman Page have any conversation with her?

A He did.

He told her that he knew she had accompanied William Dixon to the room—

MR. DAVIS: Just a minute. He is going to testify to something the husband said.

THE COURT: Did he, the witness, have any talk with Mr. Page?

MR. MAIN: Yes, sir.

MR. DAVIS: I understand the witness is about to testify to some remarks made on the part of the husband to someone that was in that room.

THE COURT: The conversation, as I understand it, is by both the husband and wife. If it isn't evidence, I will strike it out.

A There was a conversation to the extent that Mr. Page informed his wife in the room by telling her he knew he was in there.

MR. DAVIS: What did she say?

THE WITNESS: And during the time I was there, there were no answers made.

MR. DAVIS: Then I move it be stricken out. It was only a statement on the part of the husband.

THE COURT: Only to the extent he heard Mr. Page talking to someone on the inside and did not hear any answer.

MR. DAVIS: Yes, sir, that is all it is.

Q (By Mr. Main): As a matter of fact, before Mr. Page and you went up in the hotel, you did see them both—Dixon and Mrs. Page look out of the window?

A We did and could recognize them plainly. The room they were in was about four feet from the big electric light that was flashing to and fro from the big pole; anybody could tell who they were that knew them from that distance.

Q Since that occurrence, have you talked with Mrs. Page?

A I did.

Q What, if anything, did she say to you about that?

A I had another investigation in the block she lives in on Carey Street some time after that and I had occasion to go up in that neighborhood several mornings, and Mrs. Page stopped me. Seemingly she was under the impression that I was following her still and I said, "No,

I am not paying any attention to you or your conduct"—

Q What did she say?

A She says, "You don't have to watch me any more, I am on to you; I see you up here nearly every day." I said, "No, Mrs. Page, I am not paying any attention to you or watching you." She said, "I don't blame you for what you did, I blame my husband," and she said, "You will never catch me in anything else." That happened some time in the month of July.

Q Have you seen her in any other hotel since that occurrence with any man?

A I have.

Q Where?

A Saratoga, New York.

Q When was that?

A August 20th, of this year— the week of August 20th, I should say.

Q Tell his Honor what you saw and heard?

A Acting under the instructions of Mr. Page, Mr. Holmes and I went to Saratoga, New York, on the 20th of August, 1926. On arrival in New York, I stopped—

THE COURT: Never mind, You got there and what did you find?

THE WITNESS: During the time we were in Saratoga, on four occasions I saw her in company with a man who is a tailor working in the town of Saratoga, known to me as Nubby. We were unable to learn his correct name, he is known to the public there as Nubby. I saw her in company with him at a convention hall down on Center Street, I saw her in an automobile with him.

Q How late at night?

A As late as 11.30. The night they were in an automobile we lost them following them in a taxi cab; at 11.30 they were in the convention hall; at 1 A. M. or later they were at a party in a house at Center Street—I won't be positive about that street but it is the same street which the hotel or the house which she worked in is on— at 4 A. M. in the morning.

Q Was she working up there?

A She was.

Q What was she doing?

A I believe waiting.



Q At a hotel?

A At a hotel and rooming house.

Q When did you next see her?

A I saw her at the Saratoga house, which is 125 Grand Avenue-- I won't be positive about that-- but the Saratoga Hotel. I had a room at that hotel, room No. 46, I stayed there during the time I was in Saratoga. I saw her on the night of August 20th in company with Nubby--

THE COURT: Did you see her do anything more than ride around with him?

THE WITNESS: Yes, sir. This night, about 8.45 or quarter to nine, I saw her and Nubby enter this hotel and go immediately to the second floor, which was the same floor I had my room, and after arriving at the foot of the steps they disappeared into a room and I was unable to find out exactly which room but from the ones that were occupied and the ones I knew of my own knowledge were occupied during the day, they must have gone into room 42, two rooms from me--

MR. DAVIS: I object to that.

THE COURT: I will strike that out.

Q Was anyone with you when you were watching them in the hotel that night?

A Yes, sir.

Q Who was it?

A Mr. Holmes.

THE COURT: Well, what happened?

THE WITNESS: I attempted to hear some conversations in this room. Owing to people going to and fro in the hall, I was unable to go there to the door at the proper time to see the light burning or see the keyhole in the room and I did not hear any conversation thereafter.

Q How long did they remain in that room?

A Two or more hours.

Q Did you see them come out?

A I saw them after they left the Saratoga house but I did not see them leave that room.

THE COURT: Then you don't know how long they were there?

THE WITNESS: About two hours afterward I saw them leaving the Saratoga House.

Q (By Mr. Main): What kind of room was room 42?

A It was a bedroom--

MR. DAVIS: If the Court please, I move the testimony be stricken out as to whether or not it was room 42.

THE COURT: I will strike that out.

Q The room you saw them go into, was the light burning in that room all the time you were there?

THE COURT: I understand him to say he did not know in which room they went, he has not yet said they went into any specific room.

Q (By Mr. Main): What kind of a room was it into which they went?

THE COURT: I did not understand he saw them going into any room at all.

Q (By Mr. Main): Did you see them go into any room?

A They disappeared into a room on the second floor.

Q Did you go to the door of that room?

A I did.

Q Into which you saw them go?

A The room was occupied.

Q Do you know what kind of a room it was into which they went?

A It was a bed room.

THE COURT: How do you know that?

THE WITNESS: I had been shown that room and two other rooms before that night when I first went there to get a room to stay.

Q When they went into the room first, was there a light or not?

A There were three rooms on the floor with a light in them, including my own.

Q Was there a light in this room that they went into?

A That room had a light in it.

THE COURT: He said he saw them go into a room which was occupied?

THE WITNESS: No, sir.

MR. MAIN: Unoccupied. He said he was shown three rooms—

THE COURT: He said he saw the two of them go into a room which was occupied.

THE WITNESS: No, sir.

MR. MAIN: I think your Honor is mistaken.

(Testimony here read by the reporter).

Q What did you mean by stating the room was occupied, by whom was it occupied?

A It was occupied by the man Nubby and Mrs. Page.

Q When they went into the room, or rather, before they went into the room, was it occupied or not?

A The room was empty with the door open at 7.30 that night.

Q When you saw Nubby and Mrs. Page go into the room, was there a light burning there?

A There was.

Q After they went into the room, did they close the door?

A There was only one door open on the floor, that door was closed an instant after they had gone in it.

Q Did this room have a door?

A It did.

Q Did they close it or not?

A It was closed.

Q Now, tell whether or not that light remained burning?

A It remained burning for some few minutes because I could not make an investigation immediately because of people going through the hall, and at the time I did make an investigation it was out.

Q How long did you remain there?

A I remained in the hotel for more than a half hour.

Q How long did you remain on that floor near that room to observe what was going on, if anything, on that floor?

A I remained in my room, which was two rooms from it, more than two hours.

Q Of course, the hall way was on the same side?

A On the same side, just up the hall from it.

Q Was your door opened or closed?

A Open.

Q Could you have seen anyone enter that room into which you say you saw Mrs. Page go or come out of the room from where you were?

A I could see anyone moving up and down the hall from any direction.

Q Did you observe Mrs. Page or Nubby come out of the room after you saw them go into it?

A I did not see them come out. I saw them from the outside after leaving my room.

Q Were you there the next day at the hotel?

A I was.

Q Did you see either Mrs. Page or Nubby from the time you saw them go into that room until you left the hotel the next day?

A I did.

Q When did you see them?

A I saw them again that night.

Q Where?

A About two and a half hours after they went into the hotel.

Q Where?

A I was across the street in front of the hotel watching for them to come out, they came out and went down, I think, it is Grand Street to Broadway together.

Q Did they see you?

A They did not.

Q Which day was this, of this year?

A This was on August 26th of this year.

Q Well, had you seen Mrs. Page and Nubby the day before?

A I had.

Q Where?

A On the 25th I saw--

Q Did you see them at the hotel or any place?

A I saw them at the place where Mrs. Page worked the night before.

Q Which hotel is that?

A That was at-- I can't think of the name of the house now.

Q Is it a house or hotel?

A It is called a house, I believe.

Q Did that have a dining room?

A They have a dining room there and accommodations, I know.

Q On which floor was she when you saw her?

A On the first floor.



Q Was Nubby there?

A I saw him go in, I did not go in myself.

Q Was that day or night?

A Night.

Q Do you know whether or not Mrs. Page and Nubby at any time saw you during the time you were making these investigations, I mean you personally?

A Not to recognize me.

MR. DAVIS: He would not know that, your Honor.

THE COURT: What is that?

MR. MAIN: I asked him of his own knowledge did they see him and he said no.

MR. DAVIS: You did not say of his own knowledge.

MR. MAIN: I did.

Q Did you have any conversation with Nubby or Mrs. Page in Saratoga?

A I did not.

Q When did you come back from Saratoga?

A On the night of the 27th.

Q Who came with you?

A Mr. Holmes.

Q Who was with you when you saw Nubby and Mrs.

Page in the dining room of the hotel where she worked?

A A portion of the time Mr. Holmes was with me and then he entered the same hotel himself and left me on the outside.

Q Where did he room?

A He roomed in the same building where Mrs. Page was working.

Q Have you seen Mrs. Page with anyone else at any time since you were employed in April of this year?

A No, sir.

CROSS EXAMINATION.

By Mr. Davis:

Q Mr. Green, you were a former prohibition agent when you said you were employed by the Federal Government?

MR. MAIN: He said so, yes.

MR. DAVIS: Well, let me cross examine him.

Q That is correct, isn't it?

A That is correct.

Q And this Mr. Holmes you speak of is your partner?

A That is right.

Q He is also an investigator?

A That is right.

Q You say it was about 8.45 or 8.30, rather, that you drove first you said to 1732 and then 1432, which is it?

A It is 1432.

Q You are positive of that?

A 1432.

Q That is where Mrs. Page lives?

A That is the house where we watched her.

Q That is the house from which you saw her come, which you saw this William Dixon enter from the Buick car?

A That is right.

Q And you say it was about 8.30. How was your car parked?

A My car was parked on Carey Street headed toward Presstman. To correct that address, the block I did watch her from 32 is the number of the house and it is between Presstman and Laurens Street, and I am not so sure about the number being 1432 or not.

Q In your investigations I assume you certainly took

the number of the house from which the subject you are watching comes out.

THE COURT: They don't pay much attention to those little things?

A Well, the number is hard to remember.

MR. FLUEGEL: I think it is very immaterial.

THE COURT: We had a man here the other day that said there were four windows to the house and, as a matter of fact, there were only two.

Q You say your car was parked across the street from the house from which you saw her come?

A It was.

Q And you say your car was parked facing Presstman Street?

A Facing Presstman Street, the same side she is on.

Q You left your car on the same side of the street as the house from which she came?

A That is right.

Q And you went across the street?

A I went across the street and stayed there.

Q You are positive the last number of the house was 32?

A I won't be positive about that number.

Q In other words, your testimony now is that you don't know what the number of the house was?

A I am not positive about the number.

Q You saw her come from some house of Carey Street?

A The house where I had seen her several times before that and since then.

Q You say you watched her, about how long was she dressing?

A About ten minutes, ten or fifteen minutes.

Q You were able to recognize her, you say?

A I did recognize her.

Q That is a rather delicate question, but just what articles of clothing did you see her put on?

A I don't know as I can describe the articles of clothing from the window, but I could see her face.

Q You mean she put such articles as her dress on or was she negligee when you first looked into the window?

A When I first looked over—

THE COURT: How high was the curtain or shade?

THE WITNESS: Just about half way up the window, she was combing her hair in the corner of the room.

Q (By Mr. Davis): And after that she did put some clothing on?

A She had clothing on then.

Q Then all you saw her do was to comb her hair?

A Partly dressed, I should say.

Q What articles of clothing did she not have on that a lady would have on?

A I am unable to say just what clothing she had on.

Q How do you know she was not completely dressed?

A Because she spent some time finishing dressing after I saw her at the window.

Q You mean to say, however, that the lights were lit in the room?

A They were.

Q Plenty of light in the room?

A Well, it was lit up anyhow.

Q And it was the front room?

A Second story front.

Q And your testimony is that the lady was dressing—

this was Easter Monday, wasn't it?

A It was.

Q With two windows up and the shades up and the lights on in the room?

A It was.

Q It was cold that night, wasn't it?

A It wasn't so very cold, I had the windows open on the car.

Q But you were fully clothed—

A Well, I suppose we all know how cold it was on Easter Monday night.

Q When you followed the automobile, you followed it around Preston street, down Madison Avenue, so I understand?

A That is right.

Q Did the Buick car in which you say she was riding go into St. Mary's Street?

A It did.

Q I suppose you mean it turned south in the alley, in the rear of which this hotel was?

A That is right.

Q You parked your car on St. Mary's street?

A Right at the corner, I immediately left the car as soon as it turned into the alley.

Q What sort of an entrance is that at the rear of the hotel?

A A door with a step leading upstairs and a small door to the left leading into the first floor.

Q Just a small door?

A Just a small door.

Q Just like an average back door of any ordinary dwelling house?

A Well, it is used quite frequently as an entrance, it is a small door.

Q And the steps lead directly up from this door?

A From this door.

Q Was the door open?

A It was opened, I opened it myself and went in.

Q I mean when Mrs. Page went in, was it already open?

A It was.

Q Do you mean that door was unlocked that night?

A It was unlocked.



Q How long after she went in did you go in?

A I went immediately up the steps behind her, before she was out of the hall on the second floor I was on the top steps and could see her plainly.

Q You at least waited until the person who drove the Buick car, who took her there, went away?

A The Buick car was down at the corner by the time she got to the top of the steps.

Q Those are rather steep steps, aren't they?

A Probably twenty of them.

Q Then you say you walked the whole length of the hall to the front of the hotel?

A I did.

Q How close were you behind her then?

A I saw her twice in the hotel, once on the second floor after she went up the steps, and again as she went in the alcove where room No. 18 is.

Q But your testimony in chief was you followed her up the length of this hotel and went close enough up the steps behind her to see her before she got in the room 18?

A I did.

Q About how close were you behind her when you were able to do those things?

A I presume the length of the hall is a little more than the width of this room from the head of the steps to where she turned off.

Q Let us take the second floor hall, the second floor hall is practically the length of the hotel, isn't it?

A No, at least about as long as this room is wide and about half as long again.

Q How close were you behind her when you followed her down this hall?

A I was at the top of the steps before she turned to her left to go upstairs to the other floor.

Q Then you were able to make up that distance and get there before she got to room 18, which you say is at the top of the steps of the third floor?

A I certainly did.

Q Well, you had to run, didn't you?

A I did, I ran up the alley to get to the door before she got to the second floor.

Q You mean up the hall?

A The alley way.

Q What do you mean by alley way?

A I walked half way up the alley to the hotel when the Buick car was parked at the door, and then when the Buick car pulled away, in order to get in the back entrance before she disappeared, I ran to the door and opened the door, went inside the door and up the steps to the hall before she got out of the hall. Mr. Holmes was following me.

Q As a matter of fact, Mr. Green, isn't there a Yale lock on that door and doesn't it snap when somebody goes in?

A There is a Yale lock on that door and I have been in there four or five times since and it has been open.

Q You mean the rear entrance, which is a private entrance, without the knowledge of the proprietor?

A It has been possible to do that that night and I have done it three times since, to my knowing now.

Q What was the occasion of that investigation?

A One was an investigation and the other two were for my own benefits.

Q I do not quite follow you.

THE COURT: One time he went on business and another time he went on a personal matter.

THE WITNESS: If I must say it, I went in there to show somebody the back entrance of the hotel during the past election.

Q You say about ten minutes after she went in there you saw this man go in the room, where were you concealed at that time?

A In the alcove at the right of the front of the hotel. There is a room extends out in the center similar to this desk and there is an alcove on this side and an alcove on the other side. I concealed myself on the alcove on this side when I heard someone coming up the steps.

Q When you say concealed, you don't mean to say it is possible for a person to place themselves in the alcove so that they won't be visible to anyone walking through the hall?

A You could not see them walking through the hall, you would have to walk over there. There is no light in the alcove.

Q There is no light in the hall way?

A There is a light in the long hall way but none in the alcove.

Q The light in the long hall way illuminates the alcove, doesn't it?

A It does not.

Q There are two rooms that can be entered from that alcove, aren't there?

A That is right.

Q You enter two rooms from this alcove, don't you?

A You do.

Q And those rooms, if they are occupied or used by anyone, the maids or anyone answering calls would have to see you?

A Sure.

Q You were there about how long?

A Between ten or fifteen minutes, during the time I was waiting for Dixon to return.

Q And you were able to conceal yourself there without any of the maids in the hall seeing you or without the housekeeper seeing you or any other person that was about

to enter the room seeing you?

A I was.

Q No one saw you?

A If they saw me, I did not see them. The two of us concealed ourselves there.

Q Mr.Green, you have been an investigator eleven months and prior to that time you were a prohibition agent, you were an investigator. Why was it you did not, for instance, notify the housekeeper or one of the maids there, if you could not find the proprietor, that there was a married lady in the room with a man that wasnot her husband?

A I first wanted to notify her husband who was just across the street—

Q I can understand that you were working for him, I have no criticism of that, but I want to know why it was you did not notify the maid if anly for the reason you might have a couple additional witnesses here; you expected this would result in a divorce case, didn't you?

A I did not know what it would result in at that time.

THE COURT: You did not know it?

THE WITNESS: No, sir.

THE COURT: And you are an investigator?

THE WITNESS: I knew her husband intended to use the evidence but I did not know whether that alone would be all that he wanted at that time.

Q Wouldn't it be your duty as an investigator to secure all the evidence you could?

MR. MAIN: Objected to.

THE COURT: If he said he did not know the testimony was going to be used in the divorce case, his testimony hasn't any weight at all. He certainly knew it was going to be used in the divorce case, he is not frank about it. What does a man employ a detective to follow his wife for if not to use the evidence in a divorce case. If that is true, he hasn't intelligence enough to be an investigator or to testify.

THE WITNESS: I knew her husband intended to secure a divorce when he secured sufficient evidence—

Q You mean to say you don't know when a man is trying to secure evidence of his wife committing adultery, that he isn't going to use it in a divorce case?

A At that time I had not sufficient evidence.

Q (By Mr. Davis): At that time you were watching this woman in a room at a hotel?

A I was.

Q Why didn't you notify a maid or housekeeper?

A I notified her husband that we had found her in that room and the husband had gone to the door to alarm the door and tell them what he had found out himself and he said, "I don't want any further disturbance."

Q You never did have any discussion with any of the maids or employees about your entering the hotel on this night, did you?

A I did not.

Q Not even after you came downstairs?

A I did not, no. I said something to the proprietor but not to the maids.

Q You mean the proprietor, Mr. Smith?

A I did.

Q Was he there?

A He was not there then.

Q Well, when did you say something to him, I ask you that night whether you said anything to the proprietor or housekeeper or any of the maids about your discoveries in



that room?

A I did not.

Q You know the housekeeper, don't you?

A I do.

Q Didn't you stop on the second floor and have some conversation with the housekeeper in the hotel after you claim you gave this alarm and notified her husband Mrs. Page was inside?

A I did not, but her husband did in my presence.

Q You didn't say anything at all?

A I might have said something to her, but nothing regarding the case.

Q In other words, you mean to say, then, you went to this hotel to investigate this subject, that you located her in a bedroom at the hotel, and when you were coming down from the third floor and met the housekeeper, you did not say anything about your mission there or your discoveries?

A What was to be said was said by Mr. Page, it wasn't necessary for me to say anything.

Q What did you say to her then?

A I said nothing to her at all, Mr. Page said—

that is, regarding the case— Mr. Page said I was in his company or with him when he alarmed the door and notified his wife.

Q They have a register at that hotel, don't they, Mr. Green?

A They have.

Q Did you consult the register to find out the names of the persons registered in room 18?

A I did.

Q Did you find any name registered?

A I did not at that time or up until one o'clock that night, there was no registered name for room 18.

Q You mean to say there is a register there and it is possible for a person to occupy a room without using the register?

A I cannot answer that question.

Q What did the housekeeper say as to that? if Mr. Page mentioned the fact to her that he found his wife in room 18, the housekeeper certainly ought to have known whether the room was occupied?

A I think when the man was with the lady he came down stairs and asked her to go up and pacify Mrs. Page in the

room upstairs.

Q That isn't responsive to the question, it is hearsay?

A It was in my presence.

Q That does not make it any better.

MR. DAVIS: I ask the answer be stricken out, it isn't responsive.

Q You say you went outside and notified her husband Mrs. Page was upstairs?

A I did.

Q I understand you to say she said to this man Dixon, "That is my husband outside," or "That is Herman outside."

A She certainly did.

Q How well did you know her prior to having been retained by Mr. Page?

A I knew her only when I saw her.

Q Had you ever been anywhere where she was, in her company?

A I could not say positively, I might have been several places.

Q You never had any conversation with her?

A No conversation.

Q You merely knew her by sight?

A By sight.

Q You didn't know her personally, you had not been introduced to her?

A No.

Q How did you distinguish as to whether or not that was her voice?

A I heard her talk any number of times.

Q Where?

A At various places.

Q Where, for instance?

A On Carey Street in company with three other young ladies one night— one week before the investigation.

Q You just heard her talking to several young ladies?

A She was talking to a lady I was with that night.

Q Were you in her company?

A I wasn't in her company I was with a lady who was talking to her.

Q That is one of the times you were where she was and had an opportunity to talk to her. I ask you at what other times?

A I did not talk with her, the lady talked to her that was with me.

Q And as the result of that you were able to recognize her voice this night at the hotel?

A I certainly did.

Q What part of this room 18, what part of the hotel is that on; would that be in the part of the hotel in the direction of Paca Street or St. Mary's Street?

A Facing Druid Hill Avenue--

Q I don't mean Paca, I mean Eutaw Street?

A That is what I would call the east side of the hotel-- the east side of the electric sign facing on Druid Hill Avenue.

Q Have you ever been on this floor before this night?

A Several times.

Q Did you know room 18?

A I didn't know any room by number in the hotel.

Q What was the occasion for your going several times?

A For different reasons, I have been up there to see people who were staying at the hotel.

I was in there just a few days before that to see a man who was here attending the races--

Q But whether you were in room 18 or not, you don't know?

A No, I wasn't in room 18.

Q How do you know which window or front leads into room 18 or opened into room 18?

A Because it was room 18 where I saw Mrs. Page go into and the window I saw Mrs. Page looking out was to the extreme left of the hotel.

Q How many rooms are there on the front of the hotel?

A I can't say.

Q How many people looked out of the hotel?

A A number of them. One other person looked out on the third floor, a man who was at the extreme right of the hotel, and then each room excepting on the second floor, someone looked out.

Q Can you describe any of those people who looked out?

A I recall one man in particular because of his gray hair.

Q The gray haired man, what was his complexion,

for instance?

A A dark brown skinned man on the second floor, I remember that distinctly.

Q Of course, you were across the street?

A Yes, sir.

Q At the lunchroom, is that right?

A That is right.

Q Who else looked out, describe some of the other persons who looked out?

A I paid no attention to them, that is to get a description of them. I just casually glanced up.

Q You did not recognize any of them?

A I do recall this man in particular because of his gray hair.

Q Did they look way out the window?

A They had to look well out of the window because the excitement was going on immediately under the hotel.

Q How was Mrs. Page clothed?

A She had something around her shoulders; whether she was clothed under the garment around her shoulders, I don't know.

Q What was the color of the garment on her shoulders?

A It was something white.

Q Was Dixon clothed or unclothed?

A He was in his shirt sleeves or seemed to be in his shirt sleeves.

Q Undershirt or top shirt?

A Top shirt-- I won't be positive about that now.

Q But you think it was his top shirt?

A I think so.

Q What makes you think so?

A I could have seen an undershirt at that distance, I am sure --I would have made note of an undershirt if he had an undershirt on.

Q You tell me you can distinguish between an over shirt and undershirt at that distance?

A Probably by the neck of it.

Q If he had his collar off, how could you distinguish between the top shirt and undershirt?

A By the bright electric light there.

Q You were across the street on the ground and you say you would be able to distinguish because of the fabric between a top shirt and undershirt?



A I could not distinguish between the fabric.

Q If he had no sleeves, how could you distinguish?

A You can tell by the cuffs and by the neck band of the shirt. The undershirt would not have them.

Q I suppose you wouldn't say at that distance whether he had a collar button in his shirt. Now, Mr. Green, you left the hotel about twelve o'clock; why didn't you remain in order to see them come out?

A Because I felt it was not necessary, that her husband was sure she was in there and both of us were sure.

Q Her husband did not see her, did he?

A He talked to her and recognized her voice.

Q But he never saw her, as you say you saw her, when she got out of the car and went up the steps and down the hall?

A No.

Q Wouldn't it have strengthened the husband's case to see her come out?

A It would.

Q Why didn't you remain?

A He did remain.

Q But you didn't remain?

A No, I did not remain but he remained.

Q You say you saw her in July at the time you were making this other investigation?

A Not in July--

Q That is what you told us?

A August 20th.

Q No, no, I am not talking about Saratoga, I am speaking about the time you say you saw her on Carey Street and you claim she called you and said you would never catch her again?;

A Oh, that was in September, not July.

Q You told us, Mr. Green, it was in July?

A If I said July that was in error, because it was in September; it was after she had been to Saratoga and returned.

Q So it was in September you say she called you?

A She did.

Q And said to you, "You will never catch me in anything else"? Are you positive of that?

A If it wasn't that, it was words to that effect.

Q That is your impression of what she said?

A One of the things she said, she said, "There is no need of you watching me, you better go away, you won't catch me doing anything else," or words similar to that.

Q What time of the day was this?

A I don't recall, I think in the morning.

Q And you were in your automobile?

A I was.

Q And she called you?

A She did.

Q Out of the window, I suppose?

A Out of the second story window.

Q Did you go to Saratoga with Mr. Holmes?

A I did.

Q You didn't go the same time he went, did you?

A I did.

Q You left here together?

A I surely did.

Q And you returned the same time?

A I did.

Q I mean you and Holmes, your partner?

A I certainly did.

Q The night of August 20th, that is when you say you saw her in the hotel at Saratoga, what day of the week was that?

A No, sir, it wasn't August 20th, August 26th.

Q What day of the week was that?

A I don't recall now but I believe it was Thursday.

Q How long had you been in Saratoga before the 26th.

A Since the 20th.

Q Don't you know, as a matter of fact, that Mr. Holmes secured himself a room at the very boarding house at which Mrs. Page was working?

A I do.

Q It was a colored boarding house at which she worked, wasn't it?

A That is right.

Q And your partner secured a room there?

A He did.

Q And don't you know, as a matter of fact, the very day Holmes came to Saratoga and secured the room there that Mrs. Page knew he was there and that he was your partner?

A I have every reason to believe she did not know.

Q Why do you have every reason to believe she did not know?

A Had she known he wouldn't have given him a letter or wouldn't have made it possible for him to get that letter to a fellow here in Baltimore that she had committed adultery with to mail.

Q Do you testify she gave him a letter?

A I do not, she made it possible for him to get it.

Q Why do you say that, that is a general statement?

A Had she known him, had she known who he was, had she known who he was she wouldn't have made it possible for him to get hold of the letter which he did get hold of.

MR. MAIN: That is what he said three times.

MR. DAVIS: It doesn't matter, she didn't even make it possible.

Q This man Nubby you spoke of, you say he is a tailor?

A I think he is a tailor up there.

Q Well, you said definitely he was a tailor?

A I only know what was told me, that is what my partner told me.

Q Where did he live in Saratoga?

A I don't know where he lives.

Q How did you pick him up, you must have trailed him also, didn't you?

A I picked him up following Mrs. Page.

Q Where did she meet him?

A He come to her house where she was working.

Q She had her child there, didn't she?

A That I don't know.

Q Don't you know, as a matter of fact, her child was living with her at that boarding house, Mr. Green?

A I don't know.

Q Didn't you go to that boarding house?

A I did not, I never was inside.

Q Your partner never reported that to you?

A I never consulted him about that.

Q He never mentioned whether or not her child was with her?

A He did not to me.

Q You say that room was at the end of this hall in Saratoga?

A Not at the end of the hall, my room was near the end of the hall; about two rooms from the end of the hall.

Q Where did you pick them up that night when you saw

her go to this hotel on Grand Avenue with Nubby?

A At the house where she worked.

Q Nubby met her there and they walked to this hotel?

A That is right.

Q Did they register or anything?

A That I couldn't say.

Q Well, you saw them go into the hotel, didn't you?

A I did.

Q What is the first thing they did after they entered the hotel?

A They stopped downstairs for fully ten minutes nearly before they started up the steps.

Q Where were you then?

A Immediately outside of the door, across the street from the door.

Q What did they do while they were downstairs those ten minutes?

A He stood near the entrance of the door and he disappeared a few seconds and came back to her. He may have registered during that time.

Q Then what did they do?

A The girl who was the maid at the place went up ahead of them and went upstairs and they went upstairs.

THE COURT: You saw all that from the other side of the street?

THE WITNESS: I followed in and saw them.

Q (By Mr. Davis): But you were across the street?

A While they were in the door.

Q But at the time they began to mount those steps, you were across the street?

A That is right.

Q What street is this, Grand Street?

A That is right.

Q It is a rather busy street, isn't it?

A Yes.

Q How much traffic?

A Quite a bit of traffic.

Q How wide is it?

A About as wide as the ordinary street here.

Q Isn't Grand Street about as wide as St. Paul Place out here?



A Not quite that wide.

Q During the racing season there is an awful lot of automobiles drive there, isn't there?

A There is. I walked across the street and stood right beside an automobile, there were a lot of automobiles there then. Before they left the front of the hotel, I had crossed the street and got behind an automobile that was parked near in front of the door.

Q You didn't say anything about that in chief or in the beginning. I ask you where you were when they began to mount the steps and you said across the street?

A That is right. I could not go over there and get uncovered.

Q As they left the front of the door, they began to mount the steps?

A That is right.

Q At that time you were concealed behind the automobile, which automobile was parked on the same side that the hotel was?

A That is right.

Q And you saw them mount the steps?

A I did.

Q How far is this room you think they entered?

A The room is at the head of the steps and to the right, down the hall.

Q When did you leave from behind this automobile?

A Just as soon as they had gotten half way up the steps, something like that.

Q And they were half way up the steps when you came from behind this automobile?

A They were.

Q You had to walk across the sidewalk?

A I had to walk across the sidewalk and into the hotel.

Q How far were the steps from the door?

A The steps leading upstairs?

Q Yes?

A About ten feet.

Q And the room they were supposed to have gone into was at the top of the steps?

A And about half way down the hall.

Q How were you able to get upstairs before they were in the room?

A I did not go up there before they got into the room, I testified to that. When I got up there, they had gone into the room.

Q So that at the time you got to the top of the steps they had gotten in the room, that is correct, isn't it?

A They had.

Q They disappeared, in other words?

A The door closed as I arrived at the top of the steps.

Q Who closed that door?

A I don't know which one closed it.

Q How do you know that either one of these two people closed it?

A Because the maid in the hallway had been questioned some time after that and—

MR. DAVIS: Well, we object to that.

Q So it was the result of hearsay, you did not see them go into the room?

A I saw them go into the room but which one closed the door, I don't know.

Q You said at the time you got to the top of the

steps they had disappeared?

A They had gone to the room and closed the door as I got to the steps. I could not see their face.

Q Then how can you identify them?

A They were the only persons in the hall way, no one else there. The maid was standing at the door when I got up there.

Q So it is by the process of deduction you testify they were in the room; you could not know them. Now you state to his Honor that you saw them go into the room?

A I could not see them plainly go into the room but I saw enough of them to indicate they went into the room.

Q You say you remained around the hotel a half hour after they went into the room?

A I remained in the hall way about a half hour near my room door and then in company with Mr. Holmes, I went into my room, leaving my room door open and there remained for nearly two hours.

Q Mr. Page was not with you then, was he?

A No, he was not.

Q He wasn't there to advise you that he was satisfied

with the evidence. Will you tell us now why you did not notify the manager in that case that there was a married man in the room with a woman who wasn't his wife?

A Because in Saratoga, New York, it would do very little good to us, we had to continue the investigation as we thought was best.

Q Don't you think at least they would have raided the hotel and gotten at least an additional witness or two?

MR. FLUEGEL: That is objectionable.

THE COURT: I sustain it. I can make that argument myself, go ahead.

THE WITNESS: I did say something to the maid that night but not to tell her to open the door or anything like that.

REDIRECT EXAMINATION.

By Mr. Mains:

Q Mr. Green, when you went into Smith's Hotel the second time, Mr. Page was with you, was he not?

A He was.

Q Where did you go the second time with Mr. Page?

A Room No. 18.

Q On which floor did you say that is?

A Third floor front.

Q What did Mr. Page do then and there?

THE COURT: He has testified to that.

Q There is just one question I want to ask.

Which one asked the occupants of the room to open the door, you or Mr. Page?

A Mr. Page.

Q What was the response from the inside?

THE COURT: That is all in. If you object, I will sustain it.

MR. DAVIS: We don't object, your Honor.

Q State the response?

A Mr. Page says, "Dixon, open the door." Dixon said, "Man, I ain't going to open this door now, what do you think I am," and it was at that time Mrs. Page said, "Don't open that door, that is my husband out there."

(Testimony of the witness concluded).

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Thereupon - - -

WILLIAM HOLMES,

a witness of lawful age, produced on behalf of the plain-

tiff, having been first duly sworn according to law, was examined and testified as follows:

DIRECT EXAMINATION.

By Mr. Fluegel:

Q What is your name?

A William Holmes.

Q How old are you?

A Twenty-five.

Q And what do you do for a living?

A Investigator.

Q And are you or were you in partnerships with the witness that just left the stand here, William J. Green, in August, 1926?

A I was.

Q You are not related to any of these people?

A No, sir.

Q Do you know either Mr. or Mrs. Page or did you know them at any time prior to the month of August, 1926?

A No, sir.

Q Who employed you, Mr. Green, the witness ahead of

you, or Mr. Page, the plaintiff in this case?

A Mr. Page.

Q But he employed you, was it in August or prior thereto, or subsequent thereto?

A When he employed me, it was in April.

Q April, 1926?

A April, 1926.

Q Did you take up the investigation with the witness Green or alone?

A I did.

Q Alone or with him?

A With Green.

Q Where was the first time after you were employed in April, 1926, that you first saw Mrs. Page, the party you were employed to find out concerning her alleged adulteries?

A Well, on April 5th, 1926, at 8.45 p. m.--

Q At night?

A At night, at 8.45 p. m., I was standing across the street in front of 1327 North Carey Street. I saw Mrs. Page in the second story front room, combing her hair and then powdered her face. Then about ten minutes after that



a Buick coach drove up, bearing the tag numbers 44535.

Q No. 44535.

A No. 44535.

Q All right?

A And the driver got out and ran up the steps and rang the bell. Mrs. Page came to the door and let him in. Two minutes later Mrs. Page and the driver of the car came out, entered the car and drove off.

Q What did you do after they drove off, did you have any car there?

A Well, I was with Mr. Green in his car.

Q What kind of a car has he got?

A A Buick Brougham.

Q How many feet?

A Five feet.

Q What did you do then?

A We drove off behind them.

Q Did you finally stop at any time or place that night?

A Stay any place?

Q Yes, either with them or alone or behind them?

A We were behind them.

Q Where did you all go to finally?

A Well, the car stopped in the alley in the rear of Smith's Hotel.

Q You mean on Druid Hill Avenue?

A Druid Hill Avenue.

Q What did you do?

A I got out with Mr. Green and walked half way the alley—

Q You mean you walked up St. Mary's Street?

A No, a little alley in the rear of Smith's Hotel.

Dixon got out of the car—

Q When you say Dixon, who is Dixon?

A Dixon was the driver of the car.

Q The driver of the car in which Mrs. Page was riding?

A The driver of the car in which Mrs. Page was riding.

Q What is Dixon's first name, do you know?

A William Dixon.

Q Had you known him before that?

A No.

Q This was the first night you had ever saw him?

A Yes, sir.

Q What did Dixon do?

A He went into the hotel by way of the rear door.

Q Where was Mrs. Page, if she was there at all?

A She was still in the car.

Q What did you do?

A We watched the car. Dixon went into the hotel, after a short stay in there he came out. When he came out Mrs. Page went in. We followed her--

Q When you say "we" who do you mean?

A I mean I and Green.

Q All right?

A She went directly to room 18 on the third floor of Smith's Hotel--

Q Why do you say room 18, have you investigated the number of the room since?

A I have not.

Q Where did you get the number 18 from?

A It was up over the room she went in.

Q What floor was it?

A Third floor.

Q You say you and Dixon went up there?

A Green and I went up.

Q What did you say?

A We seen Mrs. Page enter this room, then we concealed ourselves in an alcove to the left of the room, and about ten minutes later we heard Dixon coming up the steps--

Q How did you know it was Dixon?

A We saw him.

Q What did Dixon do then?

A After he got into the hall, he went into room

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Q At that time was there or was there not light in that particular room where you saw these people go in?

A At that time there was light.

Q You had concealed yourselves in the alcove?

A Yes, sir.

Q How long did you remain there?

A We remained there about an hour.

Q During that hour, did you or did you not go to the door of this room No. 18, which you say Dixon and Mrs. Page were in?

A We did— I did.

Q When you came there, was there a light or was there no light?

A When we came there, there was no light.

Q How long had elapsed between the time when there was light, when you came there the first time, and the time you came to make an investigation, when there was no light?

A When we saw Dixon go in, we stood at the end of the alcove where we could see the room plainly. We stood there about twenty minutes and the light went out. I covered the room and Green went out to locate Mr. Page, who was somewhere near the hotel.

Q Did he or not bring Page back?

A He did. Page and Mr. Green returned about fifteen minutes later. We stood outside of the door about an hour and a half, probably an hour and three quarters, and then Mr. Page rapped on the door and called both his wife and Dixon. No one answered then. He said, "I know you are there, Hattie, we have followed you all the way from home," and he asked Dixon to open the door. Dixon says, "Ma'n, I ain't going to open nothing now," just like that, and we

stood there about five minutes later. Fearing we would be seen and cause some excitement, I went down to the back to cover the back part of the hotel and it was understood that Green was to go to the front.

Q Were you present at the time when Green, who was just on the stand, said that he heard a remark made by Mrs. Page to Dixon--

MR. DAVIS: Ask him what remark she made.

MR. FLUEGEL: I am not going to ask what her remark was.

A Well, I heard the remark when Herman notified those who were on the inside that he knew they were there. Mrs. Page, or the lady on the inside of the room, said, "That is Herman."

Q Did you on that night see either Dixon or Mrs. Page come out of that room in Smith's Hotel?

A I did not.

Q Now, then, you remained there about an hour and a half or an hour and three quarters together with Green and Page, is that right?

A Yes, sir.

Q Whoever was in the room, the man said, "I am not

going to open it now." Did any of you do anything or just stay there?

A Just stood there.

Q An hour and three quarters had elapsed and they did not come down. What did you all do?

A Green went to the front and I went to the rear.

Q What became of Page?

A Page left us, he went down the steps towards the lobby of the hotel.

Q Was Smith, the proprietor of the hotel there, that night?

A I did not see him if he was.

Q Was there any room made there that you saw?

A I did not.

Q I mean on the third floor?

A I did not.

Q Have you at any time since this particular instance, which occurred in April, 1926, spoken to Mrs. Hattie Page?

A Yes.

Q Where, in Baltimore or elsewhere?

A In Saratoga.

Q Were you with Green in the month of August, especially on the 25th and 26th of August, in Saratoga?

A I was.

Q Where was Mrs. Hattie Page stopping in Saratoga?

A Mrs. Hattie Page was stopping at 23 Center Street.

Q What was it, a hotel or rooming house?

A A cottage.

Q Do you know what floor she occupied there?

A She occupied the second floor rear.

Q Did you have a room there?

A I did.

Q When did you see her there the first time, morning, noon or night?

A The first time I saw her she was in the hall when I first engaged the room there.

Q Was that on the 25th or 26th or later in August?

A That was on the 20th.

Q Did you have any conversation with her?

A No, only I asked her did she have a room and she went and got a lady by the name of Mrs. Gibbs, who rents the cottage, and they gave me a room on the first floor over-



looking the porch communicating with the dining room.

Q Were you on the same floor with her or a different floor?

A Different floor.

Q Was that in the morning of the 20th of August?

A That was in the afternoon, around three o'clock.

Q On that day did you see Mrs. Hattie Page in company with anybody else, any other man outside of her husband?

A While sitting on the porch after supper I saw a tall brown skinned man enter the front door. He went back to the kitchen. Later he came out with Hattie Page on his arm. They proceeded to a car that was waiting across the street. Mr. Green and myself we followed this car up Broadway near Lake George Road and lost them in the traffic there.

Q Was this man you speak of that she entered his automobile, was it her husband or somebody else?

A It was not her husband.

Q Was Mr. Page in Saratoga at all on this occasion?

A He was not.

Q Did you ever have occasion to speak to this man?

A Yes.

Q Do you know what his name is?

A All I could find out was that his name was Nebby; in fact, I asked him his name. He says, "They call me Nebby."

Q As you were on watch for what she was doing that night, did you or not see Mrs. Page come home that night?

A Yes.

Q About what time did she come home?

A About 12.30 in company with another girl that was living in the house by the name of Clara Cormack.

Q Nebby did not come home with her that night, did he?

A Yes, he came home with her; he kissed her good-night and Clara went on in the house.

THE COURT: He did what?

THE WITNESS: He came home with her, Clara went on in the house. Nebby and Mrs. Page stayed on the porch, I was in my room, I could see, and he kissed her goodnight on the porch.

Q Had you ever prior to that time seen Nebby with her?

A That was the first day.

Q Did you ever see her in company with Nebby after that?

A I did.

Q What date was that?

A That was on the 21st, Saturday.

Q What happened then?

A In the afternoon I went in my room, I found an invitation to a party that would be given at the cottage that night. At 9.30, when the party began, Nebby came in. I could see from my room through the keyhole everything that went on in the dining room.

THE COURT: You could see through the keyhole?

THE WITNESS: Yes, sir, my room was adjoining the dining room.

Q (By Mr. Fluegel): What did you see?

A Well, I saw Nebby dancing with Hattie, talking to her frequently. The party broke up at four o'clock. Nebby was the last one to leave.

Q In the morning, you mean?

A Yes, in the morning.

Q Yes?

A He kissed her goodnight on the porch and then she went back and helped the girls to clean up.

Q Who went back?

A Mrs. Page.

Q Look at this card I hand you, marked Plaintiff's Exhibit No. 1, and tell us whether you recognize that card?

A That is the card that was left in my room for the party.

Q Your room on Center Street in Saratoga, New York?

A Yes.

Q Was this on the 21st?

A 21st day of August, 1926.

(Card referred to was thereupon marked and filed in evidence as Plaintiff's Exhibit No. 1).

Q On that occasion they had a party and she and Neby danced together until four o'clock, is that right?

A Yes, sir, four o'clock.

Q When did you see them again on the next occasion?

A On Sunday, Neby came to the house about 8.30. They sat in the dining room and talked—

Q Morning or night?

A Night— and they indulged in love making, hugging and kissing, which I could see plainly from my room.

Q In what room were they?

A Dining room, the room adjoining my room.

Q Was there anybody else there at the time?

A No one else there at the time, no meals being served there at the time.

Q What time did they leave on that occasion?

A He left the house at twelve o'clock.

Q You mean they were there from half past eight until twelve o'clock?

A Yes, sir.

Q What happened then?

A She kissed him goodnight on the porch.

Q Did you ever see them after that?

A On the 25th— the 22nd, there was a dance at Convention Hall or Congress Hall. Neby came at 11.30—

Q Did you go to Congress Hall?

A I did.

Q Was that new or some distance from where you were stopping?

A Well, a distance of about ten blocks.

Q What night was this did you say?

A Let me see—

Q If you remember?

A The 23rd.

Q All right. You mean Monday night.

A Monday night.

Q What happened then?

A They went to the dance. I and Green went also.

I saw Nebby dancing with Hattie—

MR. MAIN: Say Mrs. Page.

A (Continuing): I saw Nebbie dancing with Mrs. Page.

The dance broke up at four o'clock.

MR. MAIN: Eight A. M.?

THE WITBESS: 8 A. M. Nebby brought Hattie home but did not get out of the car. She went on in the house and went to bed.

Q (By Mr. Fluegel): Then she went on upstairs and you suppose she went to bed?

A Yes, sir.

Q After the 23rd, did you see them together at any time; did you see them at any time in any dining room there

as this witness has said, Green said?

MR. DAVIS: No witness has said that.

MR. FLUEGEL: Green said that.

THE COURT: I will allow it. It is leading but it is immaterial. Go ahead.

A Well, he was there every night with the exception of Sunday night, I believe.

Q He was where every night excepting Sunday?

A At the cottage.

Q I mean did you see him at any time, at any other place or in a cottage or at any restaurant or dining room or cafe or any other hotel?

A Oh, yes, I have seen them at a hotel. I thought you meant at the house. On the 26th I seen them together.

Q Do you know the name of the hotel?

A Saratoga House.

Q What time was it, day time or night time?

A Night time.

Q What did you see then?

MR. DAVIS: About what time?

THE WITNESS: About 8.45 she left the Center Street house.

Q What time did she go to the Saratoga House?

A She arrived at the Saratoga House about five minutes after nine.

Q Well, what happened after nine o'clock.

A I seen her go in the Saratoga House and I then went across the street. The stairs of the Saratoga House run right straight up from the entrance to the first floor-- to the second floor, rather. After staying in the lobby about fifteen or twenty minutes, I saw them go upstairs. I said, Green, we had better follow close behind them. He says, no, they may suspect us. Anyhow, just as they reached the top steps we went into the hotel and we ran up the steps and just as we got up to the top step-- I was in front of Green-- I heard a door slam and as the door slammed, I could see plainly that it was room 42.

Q What floor of the hotel was it?

A Second floor.

Q Who was in room 42?

MR. DAVIS: He cannot answer that, he does not say he saw who went in there.

Q What about room 42, what did that have to do with this case?



THE COURT: Ask him when he got to the top of the steps, where this man and woman were.

Q Where was Mrs. Page and where was this man Nebby when you got to the top of the steps?

A When I got to the top of the steps, they must have went into room 42.

MR. DAVIS: Objected to. I ask it be stricken out.

THE COURT: Strike it out. Did you see that?

THE WITNESS: No, sir, I did not.

Q (By Mr. Fluegel): They disappeared and where they went, you did not know at that time?

A No, sir.

THE COURT: His testimony is that he got to the top of the steps, heard the door of room 42 slam and that is all.

Q Did you and Green do anything after the parties disappeared?

A We went to room 46, which was Green's room.

Q Yes?

A We stayed in there about an hour and a half.

Q Yes?

A Whoever there was in room 42 did not come out

during that time.

Q Yes?

A Then Green left. I went down and stood on the porch. About two hours later, Hattie came down and passed right by me and started down Grand Avenue to Congress Street.

Q Mrs. Hattie Page came down, you say, after you had been on the porch two hours and came down Congress Street?

A Yes, sir.

Q Alone or with somebody else?

A With Neby.

Q Were they walking together or one in front of the other?

A Walking together.

Q All right?

A Green was standing on the corner of Congress and Cowen. I told him to follow them, as I was going up to the Center Street house to get another girl.

Q What did you want another girl for?

A Well, there was--

THE COURT: That is a private matter.

A (Continuing):— and later, about fifteen minutes after I saw Hattie— Mrs. Page and Nebby walking down Broadway and Green following them.

Q What time was it then, about?

A About eleven o'clock.

Q Did Green catch up with them or stay some distance away from them?

A He stayed some distance away from them.

Q Did you join Green?

A No, I followed Green on the other side of the street.

Q What happened then?

A Hattie— Mrs. Page and Nebby were looking in windows, walking slowly, looking in windows and when they reached Spring Street, they went up Grand Avenue to Cowen and up Cowen Street to Center Street, to the house.

Q When they got to the house, what did they do there?

A Nebby says, "I will see you tomorrow", and left.

Q No kissing and hugging then?

A No.

Q There for the last time you saw her in Saratoga?

A That was the last time I seen her.

Q Now, look at this letter I here hand you and the envelope, which is addressed to Mr. William E. Dixon, Smith's Hotel, Druid Hill Avenue and Paca Street, Baltimore, Maryland, and a letter address: "Dear Daddy", August 23rd, 1926—

MR. DAVIS: Wait a minute, until the letter is admitted, you cannot read it into the record.

MR. FLUEGEL: I am not reading it, I am only giving him the identification marks—

MR. DAVIS: I object to it being read until it is admitted.

THE COURT: Sustained.

Q Take Plaintiff's Exhibit No. 2 and tell us whether you ever saw this letter and envelope before?

A I have.

Q Who did you get this letter and envelope from?

A I got the letter from a girl that was stopping at the same cottage.

Q Did you ever speak to Mrs. Dixon about this letter—

Mrs. Page?

A No, I did not.

MR. FLUEGEL: I think I will withdraw the letter for the present until I prove the handwriting.

Q Did you or not see Mrs. Page give this very letter to a girl who was with you at the time?

MR. DAVIS: That is a very leading question, to begin with, it is a difficult question to answer. How could he identify the writing of the letter, he might have seen some other letter,

THE COURT: I understood him to say he got it from a girl.

MR. DAVIS: Yes, sir.

THE COURT: Ask him from whom he saw the girl get it.

Q (By Mr. Fluegel): From whom did the girl get the letter?

A Well, the girl and I—

Q You have told us the girl handed this letter to you, who did the girl get this letter from?

A The girl got it from Hattie.

Q Mrs. Page?

A Yes, Mrs. Page. I beg your pardon.

THE COURT: Did you see it?

THE WITNESS: Yes, sir.

Q (By Mr. Fluegel): Where was this gotten, in Saratoga, wasn't it?

A Saratoga.

Q Where was it, in the hotel or street?

A In the hall, the girl and I were going out walking—

Q In the hall of where?

A Of the cottage where we were stopping.

Q Where you were stopping and where Mrs. Page was stopping?

A Where I was stopping and where Mrs. Page was stopping. Hattie said, "Rosa, will you mail this letter for me," and handed it to her.

MR. FLUEGEL: Now, we will offer this.

MR. DAVIS: I would like to cross examine him first before it is offered.

THE COURT: What he said was he got this letter from

a girl and he saw Mrs. Page give it to the girl and ask her to mail it.

MR. DAVIS: It is an unsigned letter—

THE COURT: Well, I have not admitted it yet. In its present form it only means that this letter was given by Mrs. Page to some girl, from whom this man got it. He has to connect it up further to make it evidence.

MR. DAVIS: Regardless from whom he got it, he got it illegally. A letter stamped that way is already in the mail.

THE COURT: I have nothing to do with that. He only assumes it emanated from Mrs. Page because she handed the letter to the girl. It has to be followed up.

MR. FLUEGEL: Yes, sir, we will do that.

Q Now, then, after the 25th day of August— 26th day of August, 1926, you say you did not see Mrs. Page there any more?

A No.

Q Did you go home the same day or the next day?

A We went home on the 27th— no, I beg your pardon, on the 26th.

Q Have you ever seen Mrs. Page since then with this William Dixon, with whom you say she entered that bed room in Smith's Hotel on April 5th, 1926?

A I have not.

Q Have you ever had any conversation with her concerning these matters?

A I have not.

CROSS EXAMINATION.

By Mr. Davis:

Q You say the number of the automobile was 44535, is that it?

A Yes, sir.

Q You say both windows were up in Mrs. Page's front bed room?

A No.

Q Only one?

A No windows were up.

THE COURT: The question is did you so testify?

Q That both windows were up in Mrs. Page's bedroom when you were watching on April 5th?

A I did not say that, I said I saw Mrs. Page on the



second floor front room dressing.

Q I ask you now were the windows up or down?

A They were down.

Q Both windows down?

A Both windows down.

Q Are you positive of that?

A Absolutely.

Q On this occasion of April 5th?

A Yes, sir.

Q How about the shades?

A The shades were pulled half way of the windows.

Q But the windows were down?

A The windows were down.

Q You say you followed the automobile. Did you see her dressing even if the windows were down?

A Yes, sir.

Q Could you tell whether she was fully dressed or had to put on some outer clothing?

A When I seen her all she had to do was comb her hair and powder.

Q That is all she did, you couldn't tell whether from that distance her hair was combed or not?

A No, sir, because it was bobbed.

Q But that is all she did after that?

A Yes, sir.

Q Was she still on the second floor front room when this man Dixon drove up?

A She was not?

Q Where was she?

A The lights went out. She could have been there but she was in a dark room.

Q And he went in?

A Yes, sir.

Q And in about two minutes they came out and got into the car?

A Yes, sir.

Q Then you followed them to St. Mary's Street in the back of this hotel?

A Yes, sir.

Q And you followed them to the rear of St. Mary's street?

A Yes, sir.

Q And she remained in the car and Dixon got out?

A Yes, sir.

Q Are you positive of that?

A Yes, sir.

Q Didn't she get out?

A No, sir.

Q Didn't she get out of the car first and then Dixon immediately drove off and wasn't it then your partner, Mr. Green, ran up and followed her?

A No, sir.

Q Do you recall that is Mr. Green's testimony?

A I do.

Q In other words, you say Dixon went in the room and left her in the corridor in the hotel and then came back and she got out and went in the hotel?

A Yes, sir.

Q Where was Dixon at the time she got out, did he get out and assist her out?

A No, Dixon was in the car.

Q Then she got out and ran upstairs. Where were you at the time she got out of the car and went in?

A Half way of the block near the rear door?

Q Where?

A Half way of the block.

Q That is, midway of the distance from St. Mary's Street to the hotel?

A To the hotel, yes.

Q That is quite some distance, isn't it, practically a City block, isn't it?

A No.

Q From the entrance to that hotel to St. Mary's street is practically a city block, isn't it?

A I was a half block from the hotel.

Q Where was Green at that time?

A Green was there also.

Q You and Green were both a half block from that door of the hotel when she entered?

A Yes.

Q Did you enter the hotel?

A I did.

Q Did you see her go up to the second floor of the hotel?

A I did.

Q Will you explain to the Court how you saw her enter the hotel and go up the hall way and enter that room?

A When she entered the hotel, the door closed and Green and I ran to the door--

Q You had to run a half block, didn't you?

A Yes, we ran that. Just as we opened the door, she was leaving the top step. We opened the door slightly and seen her leaving the top step, then we started up. We waited at the head of the steps until she had gotten the length-- about half way the length of the hall, then we followed slowly behind; then up the other steps--

Q Followed slowly behind?

A Yes.

Q Didn't you run part of the way?

A No.

Q Didn't you run part of the way?

A We had no occasion to run.

Q Mr. Green said you ran?

A We did not run.

Q Well, you followed slowly behind her?

A Yes.

Q Go ahead?

A When she reached the third floor, we got closer to

her in case she should go into a room without us seeing her.

Q As a matter of fact, there is no long hall on the third floor of that hotel, is there?

A No.

Q Most of the rooms on that third floor are close--right around the head of the stairs, aren't they?

A No.

Q What is the length of any hall on the third floor of that hotel?

A I can't say exactly.

Q Approximately, what is the length of any hall on the third floor of that hotel?

A Possibly twenty five feet.

Q Would you call twenty five feet from where you are to the window there (indicating)?

A Oh, it was much longer than that, I am not much of a judge on distance.

Q How long have you been an investigator?

A About eight years.

Q And you cannot judge distance to that extent. Nevertheless, that hall on the second floor is almost twice as

long as this room, isn't it?

A It is.

Q And you did not leave the rear of that hall until she began to go up the steps that led to the third floor, did you, because you waited until she disappeared?

A No, I told you we followed behind her.

Q Didn't you say you peeped around the corner until she began to go up to the third floor and then you followed slowly behind?

A I told you when she went to the third floor, we got closer to her in case she should lose her.

Q When you got to the top of the steps, the steps lead to a hall, does it, at right angles to the steps, doesn't it?

A It does.

Q And that hall is a very short hall?

A It is.

Q And this long hall we speak of follows that hall at right angles?

A It does.

Q Of course, you did not expose yourself in that

long hall until she got upstairs, otherwise she would have seen you?

A I did expose myself.

Q In other words, if she had turned around she would have seen you?

A She would have seen us but we knew she wasn't going to turn around because she did not suspect anything.

Q How far were you behind her?

A About as close as this window (indicating).

Q That is a well lighted hall, isn't it?

A Not so very.

Q It is a public hall, isn't it?

A It is a public hall.

Q Aren't there rooms on either side of that hall?

A On either side.

Q The front of that hall is a dining room, isn't it?

A Third floor?

Q I am speaking of the second floor?

A I am speaking of the third floor.

Q There is no long hall on the third floor, is there?

A No.



Q I am speaking of the long hall on the second floor. Did you follow as closely behind her as the distance from yourself to the window on the second floor?

A No.

Q You remained at the end of the second floor hall until she began to go up to the third floor, didn't you?

A No, I remained—

Q Did you follow right behind—

MR. MAIN: Let him answer.

A (Continuing): I remained half way of the hall until I seen her make the curve to go up the steps.

Q Do I understand your testimony now to be that you were half way the distance of this long hall on the second floor when you saw her begin to mount the steps to the third floor?

A Not to mount the steps, when I saw her make the turn and when she made the turn, then I started up again.

Q As you saw her make the turn?

A Yes.

Q Whether she began to mount the steps or not, you don't know?

A I know she mounted the steps because I seen her at the head of the steps.

Q In going up to the third floor to any of the rooms on the third floor, don't you have to pass the house keeper's room and isn't that door open?

A It is.

Q Wasn't the housekeeper's door open that night?

A It was.

Q Wasn't the housekeeper in there?

A No, sir.

Q Wasn't there a light in the room?

A No.

Q Weren't the maids in there?

A No.

Q You mean a public room and open and no one in there?

A That is the case, very often the case.

Q You have been there often?

A Several times.

Q How were you able to get from the hall to the steps before she was able to enter room 18, did you or not?

A I said before we got closer behind her when she was about to go to the third floor for fear she would run into one of those rooms and I then exposed myself.

Q Those steps aren't very long, are they, from the second to the third floor; they aren't very steep steps, are they?

A Well--

Q We can bring the housekeeper down here.

A Well, like the ordinary steps.

Q The distance is much shorter between the second and third floor than it is between the first and second, isn't it?

A Oh, yes.

Q And this room she entered is how far from the top of the steps leading to the third floor, assuming you are now at the top of the steps leading to the third floor, how far would be the door to which you entered this room, just to that door there (indicating)?

A No, further, about--

Q How much further?

A Over two-thirds the length of this room.

Q Two-thirds the length of this room?

A Yes.

Q You were able to run the other half of the hall on the second floor and go up the steps quickly--

A No, when she was on the second-- when she was midway of the steps, I was at the corner of the steps.

Q How did you make up that distance so quickly, you had to run half the distance of the second floor hall; those steps wind, don't they, going up to the third floor?

A Slightly.

Q You didn't see around the steps, did you?

A She was about four steps from the second floor--

Q From the top or bottom?

A From the bottom, when I arrived there.

Q You made up the distance, which is half the length of that long hall on the second floor so quickly-- did you have to go through the dining room to go up there?

A No.

Q You made up this distance--

A I am wrong there, you do.

Q Then you had some more distance to go after you went the distance of half the length of the hall, you had to go

the distance of the dining room and you mean to tell the Court you were able to go all that distance before she got to the top?

A I am wrong there, you don't have to go through the dining room.

Q Well, anyhow, you mean to tell me you shadowed her and got as close as four steps away from her, you took that chance of being discovered?

A I said when she got four steps up we were at the bottom of the steps.

Q You and Mr. Green both?

A Yes, sir.

Q You were that close behind her?

A I was behind Mr. Green.

Q Four steps from the bottom?

A Yes, sir.

Q And you began to mount the steps just as she did?

A No, when she was four steps above we stood at the bottom of the steps and looked at her going up.

Q When did you begin to mount the steps?

A Just before she reached the top step.

Q How did you know when she reached the top step?

A I could see.

Q You said the steps were winding?

A Yes.

Q It isn't an open staircase, it is closed, and you could see?

A Yes.

Q Do you mean to tell us that you could see from the bottom of the steps, you could see her when she got to the top?

A If you stand at right angles, you can.

Q Wouldn't you have to mount two or three steps?

A That is possible.

Q Well, you didn't do that, did you?

A No, I did not.

Q So that inasmuch as you did not actually see her, you just presumed she was at the top?

A No, I did not presume.

Q If you didn't mount two steps, tell us how you saw her?

A I saw her when she got to the top of the steps.

THE COURT: Do I understand it is a closed stairway?

THE WITNESS: Yes, sir. It has a slight bend, not enough to prevent you from seeing anyone on the top step.

THE COURT: What do you mean by a closed stairway?

THE WITNESS: It means a stairway covered up to the ceiling.

Q (By Mr. Davis): Walls on both sides?

A Yes.

Q So that when she got about two steps from the top of the steps, you began to mount the steps?

A I didn't say two steps, I said four.

Q How did you count them--

A No, I am wrong. I said when she got four steps we came to the bottom of the steps.

THE COURT: Then you said, as I understood you, that you did not begin to mount the steps until she got up to the top, is that right?

THE WITNESS: Yes, sir.

Q And the door she entered is about two-thirds the distance of this room. Did you run up the steps?

A Ran up three steps at a time.

Q Did Mr. Green make three at a time?

A He was right behind me, he must have.

Q You didn't have your shoes off, did you?

A No.

Q And she did not hear you?

MR. FLUEGEL: How do you know she did not hear him?

MR. DAVIS: If she heard them, I presume she wouldn't have gone in there.

Q She did not turn around, did she?

A Not at any time, no.

Q She did not act as though she heard you, did she?

A No.

Q Did she have a key to the room?

A No, the room was open.

Q Unlocked?

A Unlocked.

THE COURT: Was it open or unlocked?

THE WITNESS: The door was closed but the room



was unlocked.

Q Did she close the door when she got in?

A After she got in.

Q Did you conceal yourself in the same alcove that Mr. Green concealed himself in?

A I did.

Q How large is the alcove?

A It is large enough—

Q How wide?

A It is wide enough for two men to go in.

Q It was rather a tight squeeze with you and Mr. Green in there, wasn't it?

A Well, it may have been, but I didn't notice it.

Q Did Dixon knock or just open the door and walk in?

A Opened the door and walked in.

Q Do you mean the lady just left the door unlocked or unlatched?

A Unlatched.

Q Was this door locked when her husband alarmed the door?

A It was.

Q How do you know that?

A Because we tried it.

Q You tried it?

A Yes, sir.

Q When did you try it, before or after her husband alarmed the door?

MR. MAIN: He tried it, he said.

MR. DAVIS: Wait, Mr. Main, I did not interrupt you.

Q When did you try the door?

A Mr. Page tried the door while he was talking to them, when he asked them to open the door. He did like that (indicating).

Q What was the first thing said, Mr. Page said, "I know you are in there, Hattie?"

A Yes.

Q And then Dixon refused to open the door and you heard the lady say, "That is Herman." You did not know the lady, did you?

A I did not.

Q Did you go through the lobby of the hotel, did

you have anything to say in this conversation between Mr. Page and the housekeeper?

A I did not.

Q Were you standing there at the time?

A I was not.

Q Where were you at the time or did you leave prior to Mr. Page and Mr. Green leaving?

A After Mr. Page had acquainted them with the fact he knew she was there, I went to the back part of the hotel and covered the rear door.

Q How long did you stay there?

A Stayed there until twelve o'clock, five or ten minutes.

Q Was that door locked then or unlocked?

A Unlocked.

Q At twelve o'clock the rear door was unlocked?

A Unlocked.

Q How do you know that?

A I came out of it.

Q Well, you could go out of it because there is a night latch--

A I saw other persons going in.

Q Did they just turn a knob and walk in without ringing any bells?

A They did.

Q Can you describe some of the people you saw go in there?

A I saw a lady and a gentleman go in.

Q What did they look like?

A The lady was a light brown skinned woman, wore a long dark coat.

Q What was the color of her hair?

A I could not see her hair, she wore a hat.

Q About how old did she seem to be?

A She looked to be quite young.

Q About how long?

A Possibly twenty.

Q And the man, what sort of a looking man was he?

A He wore a light overcoat.

Q What was his complexion?

A Brown skinned and a derby hat.

Q About what was his age?

A He looked to be around thirty.

Q There is no light there, is there?

A No, I was standing right at the door.

Q There is no light at the bottom of those steps,  
is there?

A Yes.

Q Any at the bottom?

A Yes, sir, just as you open the door there is a  
light at the top.

Q And that is where you were able to distinguish  
those people so closely you are able to tell us the lady  
was about twenty years old?

A I was standing right there.

Q Now, as a matter of fact, Mr. Holmes, don't you  
know Mrs. Page knew you were Mr. Holmes and associated  
with Mr. Green from the time you first came to that hotel?

MR. FLUEGEL: Do you admit she was there?

MR. DAVIS: Certainly, she worked there and had  
her child with her at the boarding house where she worked.

(Question here read by the reporter).

A I do not.

Q You became very friendly with a lady up there by the name of Rosa Williams?

A I did.

Q She was also either living at this boarding house where Mrs. Page worked or boarding there?

A She was living there.

Q And you had some conversation with Mrs. Page during the time she was at the boarding house, didn't you?

A No other than a casual conversation.

Q Didn't you try to have her meet some friend of yours whom you said was a good looking light fellow that was anxious to meet her some evening?

A No, I did not.

Q Do you mean to tell the Court you never made any suggestion to Mrs. Page that she go in a party at Saratoga with a friend of yours you wanted her to meet?

A I do, absolutely.

Q And you mean to tell the Court under oath after you returned from Saratoga and after Mrs. Page returned to Baltimore you did not call her up and ask her whether or

not this girl Rosa, whom you had met in Saratoga, had come home yet and you were anxious to meet her?

A I asked her that.

Q And didn't you say Doctor Finney, your friend from Chicago was in town and you would like to bring him and call on her?

A I did not.

Q But you did ask her about Rosa?

A I did.

Q You mean you wanted Rosa to come down here and see you, is that it?

A It was agreed that Rosa would see me in Baltimore.

Q But you never said anything about this Doctor Finney?

A No, sir.

Q What name did you go under at this boarding house?

A George W. Handy.

Q A pharmacist from Chicago, wasn't it?

A Yes, sir.

Q And this Doctor Finney was a friend of yours from Chicago?

A No, he was from New York.

Q Well, what about Doctor Finney from New York?

A I don't know anything about him.

Q But there was a fictitious Doctor Finney, wasn't there?

A No, that was his right name. He ate at the same table I did.

Q Did you become friendly with him that week?

A No, no more than eat at the table.

Q Did you ever suggest to Mrs. Page she go out on a party with him?

A No.

Q And of course you know her child was at Saratoga, her little boy?

A Yes.

Q Did you ever tell your partner, Mr. Green?

A No.

Q You never discussed that with him?

A No.

Q You don't mean to intimate-- that was a perfectly respectable house at which you were boarding, was it not?



A It was.

Q You don't mean to intimate anybody could do anything immoral there?

A Not if the managers of the cottage knew it.

Q And Mrs. Page was probably employed there as a waitress, was she not?

A Yes, sir.

Q In fact, she served you with meals several times, did she not?

A Yes.

Q Served you and this girl Rosa?

A Yes, sir.

Q That is the dining room you spoke of as a public dining room, is it not?

A Yes, it is.

Q What time did the dining room close?

A Closed 7.30. If you came later and one of the girls was there, they would serve you.

Q After that, the dining room was used by the persons in the house?

A The dining room is closed even to outsiders at eight o'clock.

Q You mean nobody goes in the dining room after eight o'clock, couldn't they go in and sit down?

A Any friends of anyone employed there could go in the dining room and sit down and talk.

Q So that when you saw Mrs. Page sit in the dining room with this tall brown skinned man, whom you claim was Nebby, the doors were unlocked and there was no privacy, was there?

A The door to the dining room is always open, as it runs straight back to the kitchen.

Q Is there a parlor at the other end?

A No, the dining room serves as a parlor, lobby and everything; they have no parlor.

Q So the dining room is all that and your testimony is that Mrs. Page and Nebby were making love in that room there?

A Yes, sir.

Q So there is always some one in and out there, isn't there?

A In for meals, yes, sir.

Q What about guests that come in?

A There is a separate stairway that goes down to the front hall, that let's you out on the front porch, that does not communicate with the dining room at all.

Q How do you get to the dining room from the porch?

A As you come from the porch you walk straight on, the stair leading upstairs is on your left and you can start back through the dining room to the kitchen.

Q The people who live in the back part of the house all could go through there, couldn't they?

A Oh, yes.

Q How long did she and Nebby stay in there during this time you saw them hugging and kissing, as you say?

A He was there at 8.30 and remained there until twelve.

Q Did any of these people who had to go to their rooms come through there often?

A Yes, they would go through quite often, now and then.

Q Where were you when you saw all this hugging and kissing on the part of Mrs. Page and Nebby?

A In my room.

THE COURT: Looking through the keyhole, he said.

THE WITNESS: With my door closed.

Q Was there a light in the dining room?

A Yes.

Q Could you see the dining room from the porch?

A No, my room stopped you from seeing the dining room.

Q Were there electric lights?

A Electric lights.

Q So the light was on during the time they were in there hugging and kissing?

A Yes.

Q Did you have the light off in your own room?

A Off.

Q Could you get a clear view of the dining room?

A Clear back to the kitchen.

Q On either side of the dining room?

A Neiteither side.

Q Where were Mrs. Page and Nebby sitting, assuming that is the door of your room there and this is the dining room (indicating), where in this room would Mrs. Page and

Nebby be?

A Well, the dining room-- my room faces just like that door, that was my room, this is the dining room(indicating) there are tables all around the dining room and just off from the aisle going to the kitchen was a table, where Mrs. Page entertained Nebby, right in front of my door.

Q Your door was on a line with the door that leads to the kitchen?

A No, my door is off the left of the line that leads to the kitchen.

Q There are two dining rooms, then, before you get to the kitchen, aren't there?

A Yes, a big one and a small one.

Q You and Mr. Green then followed her to this hotel?

A Yes, sir.

Q Where did you pick them up?

A They left the cottage.

Q About what time?

A About 8.30.

Q What is the distance from the cottage to the hotel, about?

A About eight blocks.

Q And it took them how long to get there?

A About twenty minutes.

Q You said 9.05, so that is about fifteen minutes less than you said they would have to go down Broadway to get to this place, wouldn't they?

A No.

Q How would they go?

A They would go north on Center Street to Cowen, north on Cowen to Congress street, west on Congress to Grand Avenue.

Q And both Grand avenue and Congress Avenue traffic is heavy, isn't it?

A Yes.

Q How far were you behind them?

A Just abreast of them on the other side of the street.

Q Congress street is a very wide street, isn't it?

A It is.

Q It is as wide, if not wider than this Plaza out here?

A Just about the same.

Q There are four or five lines of automobiles going up and down Congress Street, aren't there, when the races are going on?

A No.

Q How many are there?

A Well, the usual traffic that moves up in that vicinity--

Q There were a lot of pedestrians walking on the street?

A Oh, yes.

Q You remained abreast of them?

A Yes.

Q You didn't know where they were going?

A No.

Q You had no idea they were going to this hotel?

A No.

Q You were just trying to find out whatever you could?

A Yes.

Q However, you remained abreast of them the whole width of Grand Street until they got to the hotel?

A Yes. The hotel was on the side I was on. When they crossed over to the hotel I crossed over on the other side.

Q But, nevertheless, you did not enter the hotel until after they had gone upstairs, you never saw them go into any room?

A No, I would not say that.

Q What did you do when you left the other side of Grand street, what is the first thing you did when you got on the side where the hotel was, go directly into the hotel?

A Went directly in the hotel and right up the steps.

Q You and Mr. Green both?

A Yes.

Q Didn't you stop and hide behind an automobile first that was in front of the hotel?

A No.

Q Didn't Mr. Green?

A Well, you are talking about after they entered the hotel and went upstairs.

Q I asked you the very first thing you did when you



ran across the street and you said you went directly in the hotel and followed them up the steps?

A I did.

Q I ask you whether or not you did not stop and hide behind an automobile which was parked on the same side of the street the hotel was and you say you did not?

A I did not.

Q I ask you if Mr. Green did not stop behind an automobile?

A I don't know what Mr. Green did.

Q Didn't you say Mr. Green came up the steps behind you?

A He did.

Q So he never had time enough to hide behind an automobile?

A He could have paused there for a second.

Q The last time you saw her with Nebby, then, was one night when they went out driving and Nebby came back and he did not get out of the car but merely said good-night to her?

A The last time I saw her with Nebby was the night

of the 26th, after they left the hotel?

(Thereupon, at 4.40 P. M. an adjournment was taken until ten o'clock Monday Morning).

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## SECOND DAY'S PROCEEDINGS.

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Monday, November 22nd, 1926.

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Hearing in the above entitled cause was resumed on Monday, November 22nd, 1926, at 10.25 A. M.

Present, counsel for the respective parties.

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Thereupon - - -

WILLIAM HOLMES,

whose examination was suspended for the purpose of taking an adjournment, resumed the stand for

## REDIRECT EXAMINATION.

By Mr. Fluegel:

Q Mr. Holmes, we asked you something the other day about whether you had spoken at any time since to Mrs. Hattie Page, whether you had seen her or spoken to her. Do you recollect having seen her at the Grott Building, 109 East Pleasant Street in August, 1926?

A I did.

Q What were you doing in that building?

A I have an office in that building on the third floor.

Q Did she go there?

A She came to the office on August 31st.

THE COURT: What building is it?

THE WITNESS: Grott Building, 109 East Pleasant Street.

Q She came there morning, afternoon or night or when?

A In the morning.

Q Tell in your own way just what happened there?

A She came-- I was sitting at my desk writing--

THE COURT: Cut it short if you can. She got there and what did she say?

THE WITNESS: She got there. She said, "You dog, I come to save you the trouble from coming to my house tomorrow for lunch." She said, "Had you come to my house I would have blowed your damned brains out."

THE COURT: I do not see how this is rebuttal but go ahead.

THE WITNESS: Then I said to her-- she had her

hand in her hand bag. I said, "Have you got a gun in that bag?" And I went to pull out some papers from my drawer and she turned and ran out of the office and I heard a noise out in the hall. I went out in the hall and seen her getting up in Mr. Grott's office where she tumbled down the steps, getting her hand bag and hat.

Q That is the last time you spoke to her, is it?

A That is the last time I spoke to her.

THE COURT: Anything else?

THE WITNESS: After seeing her getting her hat and bag I went back to the office and heard the phone ring. I said, "Hello". She said, "Is this Holmes?" I said, "Yes--"

MR. DAVIS: Who is talking, please?

THE WITNESS: Well, I asked who was speaking--

THE COURT: Who was talking?

THE WITNESS: Davis was talking.

THE COURT: The lawyer?

THE WITNESS: I don't know whether it was the lawyer or not.

THE COURT: I will not let him tell what he said then.

MR. DAVIS: I never called him in my life in this case.

THE COURT: No matter whether you did or not, he said he could not identify him.

MR. DAVIS: I don't object to it.

THE COURT: I do.

MR. FLUEGEL: We don't want to press it.

THE COURT: If he can identify the voice, I will let him say what occurred, if the voice indicated that it was relevant.

(Testimony of the witness concluded).

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Thereupon - - -

WILLIAM J. GREEN,

a witness heretofore produced, sworn and examined on behalf of the plaintiff was recalled on behalf of the plaintiff and testified further as follows:

DIRECT EXAMINATION.

By Mr. Fluegel:

Q Mr. Green, on the stand Friday you gave us the place where you had seen Mrs. Page on Carey Street, you

gave us some number which you thought was the 1400 block—

THE COURT: I think he has given three numbers now.

Q What was the correct number?

A 1327 North Carey Street.

Q It was the 1300 block and not the 1400 block where this thing occurred?

A That is correct.

THE COURT: He first testified it was 1732 and 1432 and now he says 1327.

Q Which of the three numbers is correct?

A 1327.

Q You are sure of that?

A That is correct.

Q You gave us the number of the license of that car, have you looked into it again to refresh your memory and find out what the correct number is?

A I did.

Q What is it?

A 44535.

(No cross examination).

(Testimony of the witness concluded)

Thereupon - - -

BLANCHE DIXON,

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:

DIRECT EXAMINATION.

By Mr. Fluegel:

Q Where do you live?

A 1402 Pennsylvania Avenue.

Q You have a beauty parlor or store there?

A I have a beauty parlor.

Q Are you the wife of William Dixon concerning whom we had some testimony here on Friday?

A I am.

Q Do you know Mrs. Page, the plaintiff in this case, in the cross bill?

A I do.

Q Did you at any time in 1926 have any conversation with Mrs. Page concerning her being with your husband in a bed room at Smith's Hotel?

A I did.



Q About what month was that?

A I think it was about April, I don't recall the month.

THE COURT: You mean the talk was in April?

THE WITNESS: I think it was about that time.

Q Where did you speak to her?

A At her home.

Q What did you say to her and what did she say to you?

A I ask her if the report was true that was in the Afro about being in company with my husband in my car--

THE COURT: In your car?

THE WITNESS: Yes, and she denied the fact she was with my husband but she said she was in my car with a Mr. Charles Kelson. Of course, where they trailed her, that was also in the paper but I did not speak of that part of it; I asked her if that was true she was with him that night.

Q How do you spell that man Kelson's name?

A K-e-l-s-o-n, I think.

Q Do you know him?

A Yes.

Q Who is he?

A Charlie Kelson.

THE COURT: What does he do, where does he live?

THE WITNESS: I think his address-- I don't know his address, I know him, when I see him, he has been to my house; in fact, he was at my house the other night and said--

MR. DAVIS: We object to what he said.

Q Well, you do know Charles Kelson?

A Yes.

Q Is he or not a friend of your husband?

A Yes.

Q What, if anything, did she say about being at Smith's Hotel on April 5th, 1926?

A I did not question her about that.

Q You just asked her about being in your husband's car?

A That is correct.

Q Did she state who at that time drove the car?

A She said she was in company with Kelson, I don't

know; I guess he was the driver or chauffeur.

THE COURT: Strike out what she guesses.

Q Did she tell you what reason she had to be in your husband's car on April 5th, 1926; did she tell you why she was with Kelson?

A No, she did not tell me why, she just said they borrowed the car and went out.

(No cross examination).

(Testimony of the witness concluded).

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Thereupon - - -

JAMES HERMAN PAGE,

the plaintiff under the original bill, produced on his own behalf, having been first duly sworn according to law, was examined and testified as follows:

DIRECT EXAMINATION.

By Mr. Fluegel:

Q Your name is William Page?

A My name is James Herman Page.

Q What do you do for a living?

A I am a clerk in the Post Office.

Q How long have you been working in the post office?

A Since October, 1920.

Q Your wife is Hattie Page?

A Yes, sir.

Q The defendant in the original Bill of Complaint?

A Yes, sir.

Q You brought suit against her for an absolute divorce?

A Yes, sir.

Q When was the first time that you had any suspicion concerning her fidelity?

A In 1923, we were to a party at Patapsco, a large private house of about fifteen rooms.

Q Who owns that house?

A It is owned by Mr. C. C. Fitzgerald and was let out to Mr. E. Bernard Taylor, it was rented for that evening, for the reception.

Q What happened or why were you suspicious of her conduct?

A A friend of mine came and told me--

MR. DAVIS: Objected to.

Q As the result of what your friend told you, what happened?

A I went to the third floor and found her and a fellow I know she had kept company with in a dark room alone on the top floor, where absolutely nothing else was going on.

Q Well, was he there, was this man with her?

A Yes, sir.

Q What was his name?

A George Thomas.

Q What was the next time you were suspicious of her?

A The next time was one night I went home, I went to work 5.30 and I got off unexpectedly or without her knowledge—

Q When was that?

A That was a little later, probably in the early part of 1924.

Q Well?

A I got off at 9.30, I worked four hours and went home and I opened the front door and the front door opens

in front of the parlor door, you have a clear view of the living room from the front door, I opened the door and see sitting on the sofa huddled close to a man by the name of Sam Hill, with a very, very dim shaded light from a small lamp.

Q What time in the evening?

A Nine thirty.

Q At night?

A Yes, sir.

Q What happened then?

A He jumped or seemed surprised and asked me what I was doing off. I told her I just did not feel like working.

Q Were you supposed to work night time?

A Yes, sir, I was supposed to work until two o'clock.

Q What became of Sam Hill?

A I had not been in but a very few minutes when the telephone rang and she answered the phone--

THE COURT: The question is what became of Hill?

THE WITNESS: Shortly afterwards he left, he left almost immediately.

Q Then you had a telephone message from somebody and she answered the phone and what then?

A She did not have much to say. She said over the phone, "He is home", and one or two yeses and noes, and hung up. I asked her who it was calling her. She told me Albert Smith. I said, "What is Albert Smith doing calling you up?" She said, "I don't know, it was just so."

Q Do you know who Albert Smith is?

A Yes, sir, I know Albert Smith.

Q Who is he, a respectable man?

A No, sir, Albert Smith—

MR. DAVIS: Oh, we object.

Q What does he do for a living?

A Albert Smith just a month or two before that had come out of the House of Correction, serving three years for nearly cutting a woman to death.

Q Were you at a hotel in 1923 when you first became suspicious?

THE COURT: That was at Patapsco, at an entertainment.

THE WITNESS: Yes, sir, about twelve miles out on the Washington Road.

THE COURT: On the W. B. & A?

THE WITNESS: It is on the Pennsylvania Railroad but we went by automobile.

Q When was the next time after 1924 you became suspicious of her or during 1924?

A Sam Hill wanted to go away, it seems Sam Hill had been coming to the house and I never suspected them because he and my wife had worked together--

Q Where was that?

A They worked at the Maryland Historical Society together.

Q Yes?

A My wife asked me to give her money to pay Sam Hill's affair away, he had some trouble with his wife and he wanted to leave town. I told her I did not have it. Well, that passed on and a few days later she came to me and said, "You didn't let me have the money but I got it from my father and gave it to him; Sam Hill went away."

Q Now, look at this letter, which, for identification purposes is a letter addressed to Mr. William S. Hill, Youngstown; postmarked May 28th, 1924, and the letter, which



is addressed to "Dear Sam," 1327 North Carey Street, and tell us whether this is her handwriting, the handwriting of Mrs. Page?

A Yes, sir, that is my wife's handwriting.

(Letter referred to was thereupon marked and filed in evidence as Plaintiff's Exhibit No. 3).

THE WITNESS: That letter was sent to Youngstown, I think, and was returned because he was not located there, I found it in my wife's drawer.

Q Did you ever see Sam Hill and your wife together after that time?

A Sam Hill is living there now.

Q In Youngstown?

A No, sir, Sam Hill came back to Baltimore, Sam Hill is living 1327 in the house with my wife now.

THE COURT: How is that?

THE WITNESS: Samuel Hill is living at 1327 Carey Street now.

THE COURT: What do you mean by living, in the same house or living with your wife?

THE WITNESS: He is living in the house with her.

Q That is 1327 North Carey Street?

A Yes.

Q How long has he been back?

A As I understand it, he has been back some time.

Q Was there any other special circumstance causing you to be suspicious of your wife that occurred prior to the 5th day of April, 1926?

A Yes, sir.

Q What was that?

A It happened in June, 1924.

Q What was it?

A I got off from work that afternoon at four o'clock to go to the barber shop and it was very hot and I came in the back entrance instead of going in the front, it was a shorter way. The screen door to the kitchen was unhooked, I walked in and the view from the kitchen door to where the telephone was is clear and I saw my wife talking over the phone. I heard her say, "I will let you hear from me," and she looked around and saw me and hung up. I asked her who she was talking to and she told me Albert Smith. I asked her where he was. She told me at Havre de Grace, Mary-

land, so it was then I told her I did not think she was true to me and that we could not live together as man and wife and that I would go. I went upstairs, got a few things together, and she came down and started out the back door. She called me back and said, "Come on back here and get every damned thing you got and when you go, stay; don't ever come back any more."

THE COURT: That was when?

THE WITNESS: In June, 1924.

THE COURT: Well, what happened after that?

THE WITNESS: I left.

Q When did you go back?

A I have not returned.

Q You have never lived with her since?

A No, sir.

Q What is the next thing happened?

A The next thing happened when I engaged Mr. Holmes and Green to watch her. After I had been told repeatedly—  
(Objected to).

Q Was that before or after the 5th day of April, 1926?

A That was before the 5th of April.

Q What did you find out after that, tell us what you saw?

A I engaged Mr. Holmes and Green about the first of April--

THE COURT: Of this year?

THE WITNESS: 1926, yes, sir. I was working day that week and this was on-- I did not see her-- I did not see much of them to make any report to me until the night of the fifth when we met. There was an accident as I passed along Druid Hill Avenue, there was a fight going on. I stopped-- I was driving a car-- I stopped to see this disturbance and I saw my wife and Dixon at this window in Smith's Hotel. There were two big arc lights but there and an electric sign with probably a hundred bulbs in it, there is no question in my mind as to their identify.

Q What time of the evening was this?

A That was around eleven o'clock.

Q Eleven o'clock at night?

A Yes, sir.

Q This was on Druid Hill Avenue, Smith's Hotel?

A Yes, sir.

Q How did you happen to be around there that time?

A I happened to be passing through the neighborhood, it was more an accident than anything else that I happened to see them. While I was there Green came up to me and said, "You are just the man I am looking for."

Q Who said that?

A Mr. Green.

Q All right?

A I said, "I know what you want." He said, "Come on around here I will show you something." So we walked south on Druid Hill Avenue to Eutaw Street and he pointed out a car to me standing on Eutaw Street.

Q Where did he bring you?

A He carried me up McCulloh Street to St. Mary's and into the back of Smith's Hotel. I said to him, "Let us go in." The door was open.

Q Did you go in?

A We went in, went up the steps, went to the third floor and stood there for probably fifteen or twenty minutes. I could hear a conversation but I could not understand what was being said. I said, "I am going to rap

on the door," so I shook the door and Dixon said, "Who is that?"

Q Did you know Dixon?

A Yes, I knew Dixon very well.

Q Did you know his voice?

A Yes, sir.

Q What did Dixon say?

A Dixon said, "Who is that?" I said, "It is a boy." He said, "What do you want?" I said, "I got a message for you from Boone." I said Boone because that passed through my mind and I knew he was a friend of his, and it was then my wife spoke up and said, "Don't open that door, that is my husband, Herman." Dixon said, "I ain't going to open that door." So Green said, "Open the door, Dixon, it is Greenie." Jackson said, "No, see me tomorrow."

Q Did you ask them to open the door?

A Yes, sir, I did.

Q What did Dixon say?

A Dixon said, "Man, I ain't going to open that door." So I said to her, "You are right, it is Herman and I want

you both to know I know you are here and I am going to use this evidence against you."

Q What then?

A We stood there in the hall for probably ten or fifteen minutes and I told Green to go on downstairs, I was going to see Mrs. Gans, I know her—

Q Mrs. Gans is who?

A Mrs. Gans is the housekeeper. .

Q That is the widow of Joe Gans?

A Yes, sir.

Q She is the housekeeper of Smith's Hotel?

A Yes, sir.

Q Did you see her?

A Yes, sir. I came downstairs and her room opens at the bottom of the steps just to the right.

Q Don't give us the details of the conversation. Did you or not notify her of your wife being there?

A Yes, sir. The first thing I told Mrs. Gans was that my wife—

Q Don't tell us the details tell us that you notified Mrs. Gans that your wife was there with Dixon. Was she or not willing to go up to the door with you?

A No, sir.

MR. DAVIS: Who?

THE WITNESS: Mrs. Gans was not willing.

MR. DAVIS: I object. We are not responsible for Mrs. Gans' conduct.

THE COURT: Don't tell that.

THE WITNESS: Mrs. Gans said to me--

Q (By Mr. Fluegel): I just want to say this, it is a fact that Mrs. Gans was notified of your wife being there with Dixon, she did not go--

MR. DAVIS: I object to "She did not go;"

THE COURT: He can ask him first if she went.

Q Did she go to the door with you or not?

THE COURT: Did you ask her to go?

THE WITNESS: Yes, sir.

THE COURT: Well, did she go or not?

THE WITNESS: No, sir.

Q (By Mr. Fluegel): Was she pleased or angry at your giving the information to her?

(Question objected to).

THE COURT: Sustained.



Q (By Mr. Fluegel): At any rate, what did you do after that?

A We talked there for fifteen or twenty minutes, and, as I say, the door was open and from her room you have a view of the steps leading from the third floor. About fifteen minutes after I came downstairs, Dixon came downstairs.

Q Did you have any conversation with Dixon, then, when he came down?

A Not until after he had spoken to Mrs. Gans.

Q He spoke to Mrs. Gans, the housekeeper of Smith's Hotel, and then he spoke to you, did he?

A She went upstairs after their conversation.

Q What became of Dixon, did he stay there or speak to you or what?

A He started off.

Q Did you or not that night see your wife, Mrs. Page?

A I had seen her from the window with Dixon, I had some words with Dixon.

Q Did you have any conversation with Dixon in the

presence of your wife?

A Not in the presence of my wife.

Q Outside of the fact you had words, you did not have any other trouble with Dixon that night?

A Didn't have no fight, no, sir.

Q Now, then, after Dixon went away where did you go?

A We walked down to the front of the hotel together.

MR. DAVIS: Dixon and you?

THE WITNESS: Dixon and I.

Q Was Green there or Holmes at that time or not when you walked back to the front of the hotel?

A Green was, Green was on the second floor with me.

Q Did you or not ask Dixon where your wife was?

A No, sir, I did not ask him where she was; I knew where she was.

Q How long after that did you stay around the hotel?

A Probably a half hour.

Q Did you see your wife that night at all?

A No, sir.

Q Then you never lived or cohabited with her since that night?

A No, sir.

Q That was June, 1924?

A That was April, 1926.

Q Since this case was instituted, has Mr. Smith, the proprietor of that hotel been to see you?

MR. DAVIS: Of course, I am going to object to that.

THE COURT: Sustained.

Q Do you know whether or not Mr. Smith, the proprietor of that hotel and Mr. Dixon were on April 5th, 1926 and still are good friends?

MR. DAVIS: Objected to.

THE COURT: Sustained.

MR. FLUEGEL: Has your Honor ruled-- I don't want to argue but--

THE COURT: I understand the question is, are Smith and Dixon friends.

MR. FLUEGEL: Yes, sir.

THE COURT: I do not see its relevancy.

MR. FLUEGEL: It shows the reason for them not making any attempt to put these people out that night.

MR. DAVIS: There has been no evidence that there was any demand on the part of anyone to put them out.

THE COURT: I will sustain it anyhow.

MR. FIUEGEL: All right, sir.

Q On that occasion, April 5th, 1926, did you or not see Dixon after your wife and Dixon had been caught in that room and you said, together, in the dining room; did you ever see Dixon himself in the dining room after that on the same night?

A We passed through what used to be a dining room, there isn't any dining room there now.

Q Did you have any conversation with him then about this matter?

A Yes, sir.

Q What conversation did you have, a fight or argument or what?

MR. DAVIS: Objected to. Whatever took place or occurred out of the presence of the defendant in the bill is inadmissible.

THE COURT: I will hear what it is.

MR. DAVIS: The conversation?

MR. FLUEGEL: We don't want the conversation.

MR. DAVIS: If they want the incident, they want the conversation too.

THE COURT: I do not know whether it is evidence or not. If it isn't evidence, I will strike it out. I will take it subject to exception.

Q Tell us what occurred in the dining room that night when you met Dixon?

A I accused Dixon of being with my wife and he did not deny it and he cannot deny it.

THE COURT: I will strike out that answer. Don't argue, just answer it. The question was what occurred.

THE WITNESS: Whwn we started through the dining room Dixon said to me, "You have me all wrohg." I said, "Never mind that, Dixon, you have been followed from the time you left my wife's house until now and we know the route you took and everything," and I told him and he said, "Well, I haven't any more to say." I said, "But it is a dirty trick, you were the last one I had any idea would be the one I would catch her with", and we had a heated argument--

MR. MAIN: What was the heated argument?

THE WITNESS: I told him I thought it was a dirty trick and I felt like hitting him in the face about it.

Q (By Mr. Fluegel): Well, did you have blows that night or not?

A Well, we did not have any blows.

MR. DAVIS: Does the Court feel that is admissible?

THE COURT: I will still let it remain subject to exception.

Q Did Dixon on that occasion or any other occasion make any request of you?

A Yes, sir.

Q What did he say?

MR. DAVIS: When?

Q When was it?

A Shortly after the night of April 5th, probably a week.

(Objected to).

THE COURT: I will sustain that.

Q Let me ask you about something else. There is a cross bill filed here, in which Mrs. Page charges you with

having had improper relations--

THE COURT: Are you going to try that in your case?

MR. FLUEGEL: I guess we will have to do it.

THE COURT: I do not think so.

MR. FLUEGEL: All right, we will take that up later when they try the cross bill.

THE COURT: I do not see why you should anticipate the defense.

Q Have you any children by Mrs. Page?

A One boy.

Q How old is it?

A He is five years old October 31st.

Q Who has the boy now?

A Mrs. Page, my wife.

THE COURT: Are you supporting it?

THE WITNESS: Yes, sir.

Q Do you want the custody of this child?

A Yes, sir.

THE COURT: Where are you living?

THE WITNESS: With my mother and father, 627 Cumber-

land Street.

CROSS EXAMINATION.

By Mr. Davis:

Q The first suspicion you had of your wife, Mr. Page, was in 1923, at the Patapsco House. Didn't your wife and you have a quarrel as to your own actions on that night?

A No, sir.

Q In reference to dancing several times with the lady named as the correspondent in the cross bill?

A No, sir.

Q Didn't you even have a quarrel with a Mr. Shipley, who at that time was keeping company with Miss Johnson, that night?

A Positively not.

Q There were no words between you and your wife over your attentions to Miss Johnson when, on this night, you say you discovered her on the third floor in the dark with a man named Thomas?

A No, sir.

Q She did not intimate you had been unduly attentive to Miss Johnson?



A No, sir.

Q Was this room on the third floor supposed to be a dining room?

A No, sir, just a large--

Q Unoccupied room?

A Yes, sir, the whole house, as a matter of fact, was unoccupied except for these special occasions.

Q It was at that time sort of a road house, wasn't it?

A No, I would not say that.

Q Give us an idea of what it was?

A I think Mr. Fitzgerald turned it over to Mr. Taylor.

Q What kind of a place was it?

A I think they started out with the idea of trying to have sort of a country club.

Q So Mr. Taylor had the whole house?

A I think so.

Q Was there any furniture in this room on the third floor?

A Oh, there may have been a few chairs, scant furniture.

Q What did you see when you first discovered them there?

A I asked her what she was doing up there and Mr. Thomas took exception to it and he and I come near having a fight. He took great exceptions to it, he resented it.

Q Did you know the Mr. Thomas she was with?

A Positively.

Q You recognized him?

A Yes, sir.

Q You say it was in a dark room?

A Yes, sir.

Q No lights at all?

A Well, there was a light in the hall and that gave some reflection in the room.

Q Were they sitting down in there or standing up?

A They were standing.

Q Standing up talking in this room?

A Yes, they were standing very close to each other.

Q Just standing close talking to each other?

A Yes.

Q The next time you came home unexpectedly at nine thirty--

A Got off nine thirty.

Q In 1924, and you found her sitting on the sofa with Hill?

A Yes, sir.

Q Mr. Hill is a friend of yours, isn't he?

A No, sir, not a friend of mine.

Q You know Mr. Hill is a friend of the family, he lives with her father, 1327 Carey Street?

A Yes.

Q And her father lived there at the time you lived there?

A That is right.

Q And her father is also living there now?

A Yes, sir.

Q You have been back there since you separated from your wife?

A No, sir.

Q You don't mean to say, Mr. Page—

A What do you mean?

Q Since your separation haven't you been back to 1327 Carey Street?

A I have been there several times to see her on business but not--

THE COURT: The question is were you back there for any purpose.

THE WITNESS: Yes, sir.

Q Then you, as a matter of fact, since this separation, which you say you discovered in June, 1924, when she was talking to Mr. Albert Smith, you have not been back to that house and stayed all night?

A No, sir.

Q You are positive you never stayed all night with your wife since the separation in June, 1924?

A Yes, sir.

Q This man, Mr. Hill, had been going to the house regularly while you were living with your wife before you became suspicious?

A Yes, sir.

Q You had no reason to believe that there was any impropriety between him and your wife?

A I did not believe it.

THE COURT: The question is did you object to Mr. Hill coming there?

THE WITNESS: No, sir, I never objected.

Q Mr. Hill is a great friend of her father's too, isn't he?

A I don't know about that.

Q Well, isn't he?

A I don't know.

Q Don't you know when you lived there he was there then?

A I had never known him to come and ask for him.

Q Who did he come to see, you or your wife?

A He came to see my wife.

Q You mean Mr. Hill came without any objection on your part prior to having discovered him on the sofa, only to see your wife and there was no objection on your part?

A Because they had worked for some time together prior to our marriage.

Q At the Maryland Historical Society Building?

A Yes, sir.

Q But they were not working together at that time, were they?

A No, sir.

Q What excuse did Hill give for coming there and calling on your wife?

A Well, I was willing to accept some mutual friends, I was willing to accept some friends in my home whom my wife had known before we were married, but I did not know she was entertaining Hill when I was not there.

Q In other words, the reason you felt it was all right for Hill to call on your wife was because he was a friend of your wife prior to her marriage?

A Yes, sir.

Q And he came there to see her openly?

A Yes, sir.

Q And for that reason you raised no objection.

Hill is a man much older than your wife, isn't he?

A No, I would not say that.

Q You say he isn't a man much older than your wife?

A I suppose Hill is a man forty years old. My wife isn't far from that.

Q She isn't thirty yet, is she?

A I think she is thirty five.

Q When you came in there and discovered her on the

sofa with Hill, did you accuse Hill of being unduly attentive to your wife?

A Did I accuse him?

Q Yes, when you discovered him sitting on the sofa in a compromising position?

A No, I did not.

Q Didn't you say anything to Hill to indicate your displeasure with your wife?

A No, I intended to speak to my wife about it first.

Q About how long after you discovered it did Hill remain in the house?

A Not more than five or ten minutes.

Q Did you and Hill talk during those five or ten minutes; you all three remained in the parlor together, didn't you?

A I had not been in the house more than two or three minutes when the telephone rang and Hill left as soon as she finished telephoning.

Q So that when she went to the telephone that left you and Hill in the parlor together?

A Well, the telephone was at the parlor door.

Q Nevertheless, you and Hill were in the same room together, whether the telephone was there or not?

A That is right.

Q During that time did you indicate to Hill that you were displeased at the position in which you found him and your wife?

A I was anxious to hear what was being said over the telephone.

Q So that as far as Hill is concerned, he does not know to this day that you were displeased at finding him with your wife?

A No, I never said anything to him about it.

Q You claim when Albert Smith called up--

A She said so.

Q You said someone called up and she told you it was Albert Smith and she merely said you were home and yes and no and that ended it?

A That is right.

Q You did not leave her then?

A No, sir.



Q You have seen Mr. Hill since the separation, haven't you?

A I have seen him, yes.

Q To talk to?

A I have seen him but I didn't have anything much to say to him.

THE COURT: A little louder.

THE WITNESS: I saw him in a public place, there was a bunch of men around at the time that I saw him.

Q Haven't you borrowed some money from Mr. Hill since the separation?

A No, sir.

Q At the time you saw Mr. Hill you still were pleasant, weren't you; Mr. Hill has no reason to believe to this day that you believe he has been familiar with your wife?

THE COURT: He has already said that.

Q If you haven't been back to the house and if you don't know that her aunt lives there, how do you know that Mr. Hill lives there?

A I called her up and he answered the phone.

Q You know his voice?

A Yes, sir.

Q Haven't your aunt ever answered the phone when you called also?

A My aunt?

Q No, her aunt?

A No, I have not talked to her aunt over the phone.

Q You know her aunt used to live on Carey Street, don't you?

A Yes.

Q Isn't that aunt living at the house also besides the father?

A I don't know, I could not tell you.

Q The time you say you saw her talking to this man Albert Smith, which was the occasion of the separation, didn't she explain to you at that time about the friend who was living at the house, he and his wife, Mr. Jones, isn't that correct?

A Yes, sir.

Q Didn't she explain to you she was calling up Havre de Grace Hotel, at which Smith worked at the request of Jones' wife in order to make arrangements about a job

which this man Smith had for Jones?

A She did not explain it satisfactorily, she gave an excuse.

Q Tell us what she told you, whether it satisfied you or not?

A She told me she was calling this friend and his wife who were living at the house, Calverton and Mrs. Marion Jones-- Marion Jones was working at the Baltimore Country Club and operating the switchboard there and she had been in all that afternoon and later I told my wife--

Q We don't want your reasons for being dissatisfied, I want you to tell the Court what explanation she made of that telephone call and then if you wish to volunteer anything else, that is up to you?

A She did tell me she was calling Albert Smith at Havre de Grace.

Q Why?

A For Marion.

Q And Marion is the wife of Calverton Jones?

A Yes, sir.

Q Both of whom lived at that house at that time?

A Yes, sir.

Q What message was she delivering to Albert Smith?

A About some work, I think.

Q For Calverton?

A Yes.

Q He is a friend of yours?

A Yes.

Q And Calverton was out of work at that time?

A Neither Calverton nor Marion were paying the telephone bill.

Q I am not talking about that, I am talking about whether or not Calverton needed a job at that time?

A Why didn't Calverton call up then?

Q It is correct that Calverton was out of a job at that time, wasn't he?

A I think so.

Q And it is correct he was trying to get a job at the hotel at Havre de Grace?

A Yes, sir.

Q You also asked Mrs. Jones, or the wife of Calverton Jones, and asked Calverton also whether or not they asked

your wife to call up Smith and give him this message, didn't you?

A No, sir.

Q You did not ask either?

A No, sir.

Q Didn't they voluntarily tell you themselves when your wife told them you suspicioned there was something irregular about that call?

A I don't remember them ever having done that.

Q You won't say they did not?

A I will not.

Q Now, before you left, you beat your wife, didn't you?

A No, sir, I did not stay in the house five minutes.

Q Don't you remember this lady here, Miss Penn over here?

A I know her.

Q She was there in the house at the time you discovered your wife telephoning to Albert Smith, wasn't she?

A Yes, sir.

Q Didn't you strike your wife several times?

A No, sir.

MR. FLUEGEL: We object. The question is adultery only, there is no charge of cruelty or vicious conduct.

THE COURT: The Court of Appeals said in the Appletofft case a man has the right to beat his wife who commits adultery. I do not think it is proper cross examination.

Q You say when you met Mr. Holmes and Green on April 5th, you just happened to be going up Druid Hill Avenue and the fight you heard attracted your attention?

A The fight I saw, yes, sir.

Q Where was this fight?

A The fight was taking place in the block between St. Mary's Street and Eutaw.

Q St. Mary's Street and Eutaw?

A Yes, sir.

Q On which side, the convent side or the other side of Druid Hill Avenue?

A I mean Druid Hill Avenue.

Q I mean which side of Druid Hill Avenue, the convent side or the other side?

A Between St. Mary's and Eutaw, on the side of the

engine house between Smith's Hotel and the engine house.

Q Where did you stop to view this fight, you say you were driving a car?

A Yes, sir.

Q Where did you stop to view this fight?

A I stopped my car on the same side of the street.

Q Where the fight was?

A Yes, sir.

Q Then you were going north on Druid Hill Avenue?

A That is right.

Q About how far was this from the engine house where they were fighting?

A It seems to have started at Smith's--

Q I don't mean where it started, but where was the actual combat at the time you saw it?

A I am telling you it took place between Smith's Hotel and the engine house.

Q How close to the engine house?

A The patrol box, I believe, was at the engine house and the trouble was getting the man to the patrol box.

Q So at the time you saw the belligerents they were

at the patrol box in the hands of the police?

A No, I said I saw the argument at the main door of Smith's Hotel.

Q Where were you at the time you first saw it, that is how close were you parked to the engine house?

A Well, I was about half way between the engine house and Smith's Hotel.

Q That is where you parked your car?

A Yes, sir.

Q In other words, you were half way from Paca Street to Eutaw Street on Druid Hill Avenue?

A That is right.

Q Smith's Hotel is practically at Paca and Paca goes through there?

A Yes, sir.

Q And the men were fighting there in front of Smith's Hotel?

A Right.

Q You were sitting in your car?

A I got out of my car.

Q When?



A When the crowd moved in my direction, when they came down on this side of the street and crossed the street.

Q They went across the street?

A I crossed the street.

Q You crossed the street to the west side of Druid Hill Avenue?

A That is right.

Q Did they begin to fight on this side?

A No, they did not.

Q Why did you cross to the west side?

A Because I did not want to be on the side they were fighting.

Q You left your car there?

A Sure.

Q You left your car on the side on which they were fighting?

A Yes, sir.

Q You mean you were trying to get out of the way of the fight?

A Well, not necessarily, but I had a better view of the argument from that side of the street.

Q You mean a safer view?

MR. FLUEGEL: Both?

A Both safer and better.

Q You would have been safe if you had moved your car, wouldn't you?

A Well, I felt like getting out.

Q Did you see Dixon and your wife before the fight, during the fight or at the time the men were being arrested, or at just what point was it you saw them looking out of the window?

A When I got out of the car and crossed the street, after the patrol man got the men to the box, I started to walk north towards Pratt's restaurant and it was then I saw my wife--

Q After the fight was over?

A No, the men had not been taken away, the crowd was still there.

Q But they were in the hands of the police at that time?

A Yes, sir.

Q And at that time you walked up in the direction of Pratt's restaurant which is on the corner of Paca and

Druid Hill Avenue.

MR. MAIN: He did not say that.

Q Well, you got to Pratt's restaurant--

A I did not say I got to Pratt's restaurant.

Q Well, how far did you go?

A Oh, about twenty yards probably from the corner.

Q Anyhow, when you got twenty yards south of the house on the corner you looked up and saw your wife and Dixon looking out of the window. Which window was it?

A What do you mean which window?

Q Which window of the hotel?

A They were in the room on the extreme end of the building.

Q When you say the extreme end, you mean--

A The south end of the building.

Q Was it the last window, the most southerly window, were there any other windows between that window and the south end of the building?

A No.

Q How were they dressed-- they had to lean out, didn't they, to see the fight?

A Well, they leaned out far enough to see.

Q Were their shoulders visible?

A I could see the upper part of their body.

Q How was your wife clothed?

A I won't say whether it was her underclothing or piece of underwear—

Q Well, you would have been able to tell whether it was her underclothing or not by the absence of sleeves?

A That might be true of her dress.

Q Well, whatever garment she had on, did it have sleeves or not?

A I couldn't say.

Q Were her shoulders exposed?

A No, sir, she had some garment on.

Q How was Dixon clothed?

A He was apparently in his shirt sleeves.

Q Top shirt or undershirt?

A Well, I would say it was his top shirt.

Q Why would you say that?

A Well, because an undershirt does not fit like a top shirt.

Q In what way do you mean?

A I mean it did not cling tight, if it was underwear and there were any sleeves, it would not be a loose appearing garment like a shirt.

Q Were you able to tell that-- this was the third floor?

A Yes, sir.

Q And you were on the ground floor?

A Yes, sir.

Q Were you able to tell whether or not the shirt fit tight or loosely?

A Yes, sir.

Q How was it you were able to tell that?

A Well, I wasn't looking at anybody but them.

Q No, I mean the fact the sleeves did not fit tight?

A I am just giving you my idea of what I think it was. I did not pay any particular attention to that.

Q Did he have his collar on or off?

A I can't say about that.

Q How long did they remain at the window?

A Well, they weren't there very long after I saw them.

Q Well, in the matter of minutes or seconds, how long did they remain there?

A I stood there a couple minutes before they went in.

Q Then after they went in, Green came up?

A That is right.

Q They had gone in when he came up?

A Yes, and I had started back towards the automobile.

Q You say they had gone in when Green came up?

A Yes, sir.

Q Well, Green said he saw them too?

A Well, probably he did.

Q Did they come out again?

A No, they did not; Green came to me and said, "You are just the man--"

Q But on the stand he said he directed your attention to Dixon and your wife?

A I don't know whether Mr. Green--

Q As a matter of fact, your testimony now is that they were not there when Green came up, they had gone in?

A That is right.

Q And they did not look out again?

A I did not see them look out again.

Q Green just happened to come up and said, "You are the very man I am looking for," is that right?

A Yes, sir.

Q It was just good fortune he found you there?

A He had been looking for me.

Q Didn't he have an appointment with you?

A No, sir.

Q Green said he had an appointment with you--

A We had arranged one or two places that he could call me.

Q But he did not call you at either of those places?

A Yes, he did.

Q I mean, he did not locate you at either of those places; in other words, it was just a streak of good fortune you were there when Green came up?

A Yes, sir, it was.

Q You had no appointment with Green and they had gone in when Green came. Was the door opened to Smith's Hotel when you went in the rear?

A Yes, sir.

Q The rear of Smith's Hotel is on little Monument Street, isn't it?

A I think that is the name of it.

Q Anyhow, the rear door is on little Monument Street, isn't it?

A I think that is the name of it.

Q And there is a night latch on that door, isn't there?

A Not that I know of, it wasn't working the night I went in.

Q In other words, that door was open for anybody to walk in?

A Yes, sir, anybody.

Q There was nobody in the rear of that hotel to see people that come in, is there?

A Ordinarily I don't think so.



Q And there was no one there that night?

A No, sir.

Q In other words, a burglar could have gone in and done whatever he wanted without being detected?

A Yes, sir.

Q Because no one knew you were in the hotel until you made it known to Mrs. Gans after you say you talked through the door to your wife and Dixon?

A That is right.

Q In order to get to this room on the third floor, where you say your wife was you had to pass Mrs. Gans' room, didn't you?

A I passed her door.

Q I mean the room she occupied on the second floor?

A Yes, sir.

Q And the door of that room was open, was it not?

A No, sir, when we went in it was closed.

Q Mr. Green and Mr. Holmes said it was open?

A It was closed when we went up and open when we came down.

Q It was open when you came down?

A Yes, sir.

Q And you remained there fifteen or twenty minutes and you heard voices that you could not understand or some conversation, then you tried to get Dixon to come out under the ruse you had a message for him from Booney?

A That is right.

Q And your wife said, "That is Herman, don't open the door?"

A Yes, sir.

Q As a matter of fact, you knew, of course, your wife knew your voice, didn't you?

A Yes.

Q Why were you the one that talked through the door when you had Green and Holmes there, you knew your wife was in there, didn't you rather imagine she would recognize your voice?

A The reason I did it was because Mr. Green seemed reluctant about doing it.

Q What reason did he give you for not wanting to do it?

A Well, to tell you the truth, he told me it wasn't necessary.

Q In other words, he felt as though the discovery he made was sufficient evidence to support your bill for divorce?

A Yes, sir.

Q Of course, you told Mr. Green you wanted this evidence for divorce, didn't you?

A I don't know that I told him what I was going to do with it, I told him I felt my wife was living in adultery and I wanted him to try and catch her. I had it in my own mind---

Q When you say living in adultery, you don't mean she was living with some man as a common law wife, but she was living in adultery at intervals?

A Yes, that is right. I told her that night I was going to use the evidence against her.

Q You told him?

A No, I told her.

Q I am asking you whether you told Green at the time you retained him or between that time and the night he procured your evidence for you that you intended to use this evidence in the support of a bill for divorce against your wife?

A I answered that, I said I don't remember having told him.

Q All right. Anyhow, he must have known it at that time when he said you had enough evidence?

A Sure.

Q You must have told him, didn't you?

MR. FLUEGEL: We object to that.

Q Did you tell him or not prior to him saying that is enough?

A Sure.

Q Now, then, you say your wife said, "Don't open the door, that is Herman," you heard her say that to Dixon?

A Yes, sir.

Q Did she say it out loud?

A She said it loud enough for me to understand it.

Q In a conversational tone or excited tone? you know about how she talks in an ordinary conversation?

A I am sure she did not intend for me to hear.

Q Would you say it was a conversational tone?

A I am sure she was excited.

Q Was it a conversational tone?

A I told you it was loud enough for me to clearly understand it.

Q So she said it loud enough for you to understand it?

A Yes.

Q Then you went away--

A Dixon told Green to see him the next day.

Q Then you went down and had some conversation with Mrs. Gans?

MR. MAIN: We object to that. This is all going into the record, he is talking to himself.

THE COURT: Well, you do the same thing.

Q Do you remember the time of the separation, which was in 1924, when your wife was working at the Y. M. C. A. restaurant?

A Yes, sir.

Q That you sent an attorney to your wife asking your wife to agree to grant you a divorce on the ground of desertion and that your wife refused and upon her refusal you called your wife up and quarreled with her about the fact she did refuse to agree to that?

MR. FLUEGEL: Objected to.

THE COURT: I will sustain it because there are too many questions.

Q Did you call your wife up in reference to a report an attorney made to you about her refusing to grant you a divorce?

MR. FLUEGEL: Objected to.

MR. DAVIS: I can show unclean hands.

THE COURT: That was all cleared up by the Appletofft case. Mr. Fluegel will tell you I tried my best to fine against him and I could not do it. He can ask whether or not he quarreled with his wife because she would not agree to not resist an application for divorce. Except as bearing on his credibility, it isn't evidence at all. The Court of Appeals has ruled there is apparently no excuse for adultery on the part of either parties. Even cruel treatment isn't a defense.

Q Did you or not quarrel with your wife as a result of her refusal to agree to grant you a divorce on the ground of desertion?

(Question objected to; objection overruled).

A No.

Q Didn't you call her up?

A I called her up.

Q What was the conversation?

(Question objected to; objection sustained).

Q You say you did not quarrel with her. Did you call her up in reference to her refusal to grant a divorce on the ground of desertion?

A I called up and discussed it.

Q Tell us what you said in reference to it?

MR. FLUEGEL: We object to that.

THE COURT: Sustained. As I understand it, that only goes to his credibility in order that you can contradict him. It is not good for many other reasons.

Q We have asked for the custody of the child. When did you last see your child prior to having probably seen it in the Court room on Friday?

A Well, the last time I saw him, I saw him with her.

THE COURT: When was it?

THE WITNESS: Oh, probably a month ago.

Q (By Mr. Davis): Don't you remember prior to this suit having been filed when, by agreement your wife was

accepting five dollars a week for the support of your child, she called you up or wrote you in reference to your seeing the child and taking it out to your home some time and you wrote her a letter and told her you would decide your own time when you wanted to see the child?

A No, that was not it.

THE COURT: Is the letter there?

MR. DAVIS: Yes, sir.

MR. FLUEGEL: Are you offering this as evidence?

MR. DAVIS: Yes, sir.

THE WITNESS: May I look at it again?

MR. FLUEGEL: Yes, you can look at it.

Q (By Mr. Davis): This is your signature and handwriting I believe?

A Yes, sir.

THE COURT: The question is did you write that letter?

A Yes, sir.

MR. DAVIS: We offer it in evidence.

(Letter referred to was thereupon marked and filed in evidence as Defendant's Exhibit No. 1).



Q Now, at that time you were not very anxious to see the child, were you?

A Yes, I was anxious to see it.

Q Why did you write this letter?

A Because she would send him at inopportune times, she would send him at her own convenience; she did not consider the convenience of me or my mother. If she wanted to go out, she would send him without any notice, send him up by some little child and tell the child to leave it. Then if I went to get him, there was always a renewal of some of our troubles and an argument and it would cause me too much unpleasantness.

Q Didn't she offer to send him out to the house, to send him up to your father?

MR. FLUEGEL: I object.

THE COURT: On the question of the custody of the child, anything is admissible.

Q Didn't she offer to send him up to your father?

A At times but I understood he was not coming there.

Q You mean to say he was not coming there?

A It was understood at home.

Q From whom did you understand it?

A I understood it from my mother.

Q You didn't understand it from your father?

A Yes, he told me.

Q But this letter is in answer to a letter telling you to come there and get the child, that the child would be ready for you?

A I don't remember—

Q You wouldn't say she didn't write such a letter would you?

A Yes, I would because I don't remember.

Q When you don't remember it means—

A I will say it was not sent.

Q What makes you answer differently now and a half a minute ago you didn't remember?

A Because I think my memory would serve me well enough to remember that.

Q What caused you to write this letter because it is certainly in answer to some communication from her, either verbal or written?

A Because she had written me and she had evidently—

I remember the coat I bought for him and she had evidently written me about something else and probably said something about sending and getting him more often. As a matter of fact--

Q That is what I just asked you?

THE COURT: Let him finish.

A (Continuing): She had sent the baby to the house and had the bell rung and run away and left him standing on the steps. It was just her attitude I did not like.

(Thereupon, at 12 o'clock noon, a recess was taken until one o'clock P. M.).

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AFTER RECESS (1.05 P. M.).

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Thereupon - - -

JAMES HERMAN PAGE,

whose examination was suspended for the purpose of taking the noon recess, resumed the stand for

CROSS EXAMINATION (Continued).

By Mr. Davis:

Q Prior to the Order of Court passed by Judge Duffy at the time this case was up for hearing on alimony, Mr. Page, how much had you been contributing for the support of your wife and child?

THE COURT: Ask him first about the wife.

Q How much have you been contributing to the wife?

A There wasn't any distinction made in the amount I gave her.

THE COURT: What do you give?

THE WITNESS: We agreed on five dollars a week.

THE COURT: Who agreed?

THE WITNESS: My wife and I.

Q Didn't your wife several times make requests of you to give her more?

A No, she did not; she asked for things for the baby.

THE COURT: Did you get them?

THE WITNESS: At times, yes, sir.

THE COURT: How much were you making then?

THE WITNESS: Sixteen hundred dollars.

THE COURT: How much are you making now?

THE WITNESS: Twenty one hundred dollars.

Q (By Mr. Davis): You mean since 1924 you have gotten an increase of five hundred dollars?

A It was year before last we got an automatic increase of three hundred dollars.

Q Weren't you getting eighteen hundred dollars at the time of the separation?

A No, sir.

Q When did you go in the Post Office?

A 1920, October.

Q When did you begin to get twenty one hundred dollars?

A I think the increase went into effect the 1st of July, 1925.

Q After that increase, did you increase the amount you contributed to your wife and child?

A No.

Q And you say she never tried to get you to increase the amount?

A No, sir.

Q Did you pay that regularly, Mr. Page?

A Yes, sir.

Q Do I understand from your testimony to be, then, from the day Judge Duffy passed the order that you were to pay fourteen dollars a week, the total amount you have given your wife was practically five dollars a week from the time of the separation?

A Yes, sir.

Q You were never in arrears at all on that five dollars a week?

MR. FLUEGEL: Objected to.

THE COURT: I think that is relevant to show how he supports the child.

Q You say you don't owe her anything on that five dollars a week agreement?

A No.

Q I show you two notes, you wrote both of those, did you not?

(Papers handed witness).

MR. MAIN: Just say yes or no, Mr. Page?

A Yes.

Q They were written after the separation, were they not?

A Yes.

Q Now, Mr. Page, these notes you have read here they are in reference to money you owed your wife at that time?

THE COURT: Are you offering these?

MR. DAVIS: Yes, sir.

MR. MAIN: We object to them. They don't show the time, there is no time when those papers were written.

MR. DAVIS: I asked the witness if they were written after the separation. They are not dated.

MR. FLUEGEL: It has very little effect, the only thing is that— the only matter is directed to what he should pay his child, your Honor is going to take into consideration what he makes. It does not make any difference whether he paid or whether he did not pay.

MR. DAVIS: They were sent to his wife.

THE COURT: His wife's name isn't Herman.

MR. DAVIS: No, sir.

THE COURT: And it is signed Herman.

MR. DAVIS: Yes, sir, he might be able to explain that.

THE COURT: I do not think it has any probative force but I will let them in.

(Papers referred to were thereupon marked and filed in evidence as Defendant's Exhibits No. 2 and No. 3, respectively).

Q You say there was no arrearage between you and your wife on the five dollar agreement since the time Judge Duffy passed the order that was passed the 21st of May, 1926, was it not?

MR. FLUEGEL: We object to that.

THE COURT: He has already said it was not. I will sustain it for that reason. I am not going to pay much attention to that. Here is a man who testifies he is making sixteen hundred dollars a year up to twenty one hundred dollars, and I am assuming he did not get the twenty one hundred dollars until after Judge Duffy's order was passed, but getting all that money he only gave his wife five dollars a week and if he was not in default at all, that is a pretty bad record.



MR. DAVIS: I might just correct your Honor that he was getting twenty one hundred dollars a year when Judge Duffy passed this order.

THE COURT: Well, even sixteen hundred dollars a year and only five dollars a week is bad enough. You can't support a child on that.

Q (By Mr. Davis): Mr. Page, at the time you left your wife, isn't it correct that you have pawned a watch that belonged to her for fifty dollars— you had pawned a ring which belonged to your wife for fifty dollars and a watch for ten dollars and you never got them out after the separation; she was forced to redeem them herself?

MR. FLUEGEL: Objected to. What has that to do with the case?

THE COURT: It might have some bearing on the support of the child but it isn't persuasive. For that reason, I will sustain the objection.

MR. DAVIS: When Mr. Fluegel began to ask the defendant some questions in reference to the cross bill—

THE COURT: I told him that that was a matter of affirmative proof on your part and I do not see why he

anticipated it.

MR. DAVIS: Am I permitted to ask that now?

THE COURT: I don't think you ought to ask him on cross examination. I don't care how you do it.

Q (By Mr. Davis): Of course, there have been some other separations between you and your wife prior to June, 1924, hadn't there?

A For a short interval, a day or two.

Q That was because a message was brought to her in reference to a date you had with your girl and your wife took Umbridge at that, isn't that correct?

A No, sir.

Q Do you recall having been at the cabaret at New and Jasper Streets, and having found two other gentlemen who worked in the Post Office with you entertaining some ladies prior to your separation— after the separation, rather?

A No, sir.

Q Don't you remember those ladies lived in Greenwillow Street and all four of you proceeded from the cabaret to Greenwillow Street?

A Which four?

Q The four of you?

A No, sir.

Q The four men and two ladies?

A No, sir.

Q Don't you remember those two ladies began to disrobe in Greenwillow Street?

A No, sir.

Q Don't you remember two of the men left and left you in the room with two of those ladies?

A No, sir.

Q Don't you remember one of the men who were with you was named Lloyd Farmer?

A No, sir.

Q You know Lloyd Farmer?

A Yes, sir.

Q That is incorrect?

A Yes, sir.

Q You mean it is incorrect you went to Greenwillow Street with these ladies?

A Who else was there?

Q With Mr. Farmer?

A Yes.

Q Mr. Gray?

A Who is Mr. Gray?

Q You know him, he works at the Post Office, don't he?

A What is the question now?

Q I think I asked you if he worked in the Post Office. Do you recall when you went to a dance given at the hall at Eutaw and Biddle Streets, prior to this separation in June, 1924, to which dance you took your wife, and at the time you were sitting at a table eating with your wife that a Miss Carlitta Johnson came up to you with a whiskey flask in her hand, placed her arms around you and insisted upon your taking a drink out of the flask?

A That positively is not true, no part of it. I attended the dance there.

Q That is correct, there was a dance at that hall?

A I will admit there was a dance and I took my wife.

Q But there were no words between your wife and Miss Johnson about her attentions to you?

A No, sir, not that I know of.

Q And it is incorrect that she did attempt to hug you in the presence of your wife and insisted on your taking a drink out of a flask which she had at that time?

A Yes, sir, it is incorrect.

Q When you were separated from your wife, you had a ring which belonged to your wife, did you not?

A No, I didn't have it.

Q Did you have a ring of your wife at the time you left her?

A No, I did not have it.

Q Where was it?

A With her consent, we had borrowed some money on a ring I gave her.

Q Later on, didn't you redeem that ring?

A No, sir.

Q You never got it back from the person to whom you pledged it as security?

A No, sir.

Q You did not give that ring or the stone that was in that ring made up in another ring to Miss Johnson for a Christmas present after you left your wife?

A I have not given Miss Johnson any ring.

Q Nor any presents?

A No.

Q No presents at all?

A No.

Q You do recall seeing Miss Johnson?

A Yes, I have been to Miss Johnson's home.

Q How often?

A Why, probably two or three times a week, some-  
times.

Q And at the time you had your car, you have gone  
driving with Miss Johnson?

A Yes, and her mother and stepfather.

Q And gone to theatre?

A Never been to theatre.

Q Never been to Washington?

A In company with ten or twelve other people.

Q Who were the other persons?

A Mrs. George Johnson, Mrs. Elias Person, Mrs.  
George Holland, Mr. Grafton Johnson, Miss Carlitta Johnson  
and myself.

Q How did you go, train or automobile?

A We motored.

Q In whose car?

A Mr. Johnson's car-- Mr. George Johnson's car  
and my car.

Q Who were in your car?

A Mrs. George Holland and Miss Johnson.

Q And yourself?

A And myself.

Q Only three persons in your car?

A Wait a minute, now, there may have been someone  
else in my car but I don't remember, I know we were split  
up into two cars.

Q You don't know how they were distributed. How  
long did you stay there?

A We went about two o'clock in the afternoon and  
we returned that night probably about nine or ten o'clock.

Q That is the only time you have ever been to  
Washington with Miss Johnson?

A That is the only time.

Q That is the only time you have ever been out of  
the city with Miss Johnson?

A No.

Q What other times were you out of the City with Miss Johnson?

A Mrs. Person, Mr. Johnson and Mrs. Johnson and I drove sne Sunday to Gettysburg, got there rather early and drove to Chambersburg.

Q And drove to Baltimore. At what time?

A About ten o'clock.

Q When you say Mr. Johnson, he isn't related to Miss Johnson, they just happen to have the same name?

A Yes, sir.

Q You and Miss Carlitta Johnson went to Gettysburg and Chambersburg?

A Yes.

Q And you still call there two or three times a week, don't you, regularly--

A That isn't the only trip I took, if you want to know that.

Q I would like to know the other?

A On another Sunday we drove to Philadelphia.

Q Drove?

A Drove, yes.



Q In whose car?

A In my car.

Q Who went along?

A Miss Johnson, Mrs. Person and Mr. Johnson.

Q And yourself?

A Yes.

Q You left about what time?

A Left about eight o'clock in the morning.

Q And returned home about what time?

A About ten thirty that night.

Q What did you do in Philadelphia?

A Called to see some friends, had something to eat when we first got there.

THE COURT: Is this cross examination or your testimony.

MR. FLUEGEL: This is his cross bill.

MR. DAVIS: I don't say that.

THE COURT: But it is that.

Q About nine or ten months ago, having admitted to your fellow employees or having admitted to your fellow employees at the Post Office that the night before you had

met a girl, you had taken her home in a taxi and, <sup>after</sup> you had arrived at her home you were unable to pay for the taxi because you only had a ten dollar bill and the taxi had no change and she paid for it and you proceeded with her to her home, and on the first floor in the parlor you had sexual intercourse and as the result of that intercourse, you gave her three dollars?

MR. FLUEGEL: Objected to.

THE COURT: That isn't cross examination. That isn't specific enough. There are a thousand fellow employees in the Post Office.

Q Did you say it in the presence of Lloyd Farmer?

THE COURT: Is this cross examination or your affirmative testimony under your cross bill?

MR. DAVIS: Affirmative on the cross bill.

THE COURT: It is a little out of order. You are making him your witness.

MR. DAVIS: That is all.

REDIRECT EXAMINATION.

By Mr. Fluegel:

Q As long as Mr. Davis has asked you concerning your relations with Carlitta Johnson, I want to ask you if you ever at any time had any improper relations with Carlitta Johnson or any other woman since you were married to your wife?

A No, sir.

Q I want to ask you concerning a letter here. The other day we had this letter here before us and I want to ask you to look at the envelope and letter, the envelope being addressed to William Dixon, Smith's Hotel, Paca Street, Baltimore, Maryland, and the letter being addressed "Dear Daddy, Saratoga Springs," and tell us whether you know the handwriting of that?

A Yes, sir.

Q Whose is it?

A My wife's.

Q Is this envelope also your wife's handwriting?

A Yes, sir.

MR. FIUEGEL: Now, we want to offer this in evidence.

MR. DAVIS: We object, it is unsigned.

THE COURT: It isn't rebuttal but I will allow Mr. Fluegel, if he wants, to put it in in chief. Then you can cross examine him about his knowledge on handwriting if you want or anything else that is pertaining to it.

(Paper referred to was thereupon marked and filed in evidence as Plaintiff's Exhibit No. 4).

Q Did you at any time in August, 1926, see any letters in the handwriting of your wife at Smith's Hotel in Baltimore City?

A Yes, sir--

MR. DAVIS: Objected to.

THE COURT: Do you mean the letters were at Smith's Hotel?

MR. FLUEGEL: Yes, sir, I want to show certain letters he saw there.

THE COURT: I will let him say yes.

Q Whose letters were they?

MR. DAVIS: That is objected to.

THE COURT: Do you mean to whom they were addressed?

MR. FLUEGEL: To whom they were addressed and whose handwriting.

THE COURT: You have to account for their non-production in some way. I am allowing you to show the letters were in his wife's handwriting, but it seems to me if you are going to ask him further about that you want to account for their non-production in some way to see whether you can get secondary evidence.

MR. FLUEGEL: We will get the best evidence in when we get through with him. We can put her on the stand.

Q In whose handwriting were these letters?

THE COURT: He said in his wife's.

Q To whom were they addressed?

(Question objected to).  
not

THE COURT: You can ask him about the writing on cross examination without producing the writing.

Q (By Mr. Fluegel): Were these letters that you saw, were they stamped or not stamped?

A They were stamped and post marked.

Q Where at Smith's Hotel were these letters?

A On the cash register in the bar.

Q Did you or not look on the stamps to see where

these letters came from, whether Baltimore or elsewhere?

(question objected to).

THE COURT: I won't let him testify anything at all about the letters unless you account for their non-production.

MR. FLUEGEL: We cannot do it all by one witness. We would be violating the mail if we took those letters, we cannot take somebody else's mail. Now, then, we certainly have a right to show letters in her handwriting at a Public Hotel, addressed to the man that is the alleged correspondent in this case and put it up to Mr. Dixon whether he did or did not get these letters. We have summoned Mr. Dixon. Dixon is the man to whom they are addressed. The best thing I can do is to say, "Mr. Dixon, let us have these letters." If he says, "I have destroyed them," then I cannot do any more.

THE COURT: I do not think the rule allows you to speak about a writing without either producing it or accounting for its non-production.

MR. FLUEGEL: I have another way of getting at that. We will rest right here. That is all.

(Testimony of the witness concluded).

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Thereupon - - -

ANASTASIA WESSELS,

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:

DIRECT EXAMINATION.

By Mr. Fluegel:

Q Your full name is what?

A Anastasia Wessels.

Q Whom are you employed by?

A Mr. Walter Ahern.

Q The office that you are employed at is where?

A That is where I am employed now.

Q Where are their offices?

A 105-7 East Pleasant Street.

Q Were you employed there in the month of August,  
1926?

A No, sir.

Q Where were you then?

A Alexander A. Grott, 109 East Pleasant Street.

Q You were employed in his office?

A Yes.

Q Doing clerical work?

A Stenographer.

Q On what floor was that office?

A Second floor.

Q Will you look at this lady sitting next to Mr. Davis and tell us whether or not you saw her at any time in the month of August, 1926 in the Grott Building, on the floor where Mr. Grott's office is?

A Yes, I saw her come out on the third floor.

MR. DAVIS: That is not denied. It was Labor Day, as a matter of fact.

MR. FLUEGEL: You admit you were there?

MR. DAVIS: Why certainly, we were there, but you have the date wrong.

MR. FLUEGEL: But we have the lady right and the place right?

MR. DAVIS: Yes.

Q What was she doing there?



A Well, I wasn't on the same floor but I heard the lady hollering or something, picking a quarrel; they were arguing.

Q Whose office was she in?

A I believe it was Mr. Holmes' office.

Q Do you remember the language that was said or don't you?

MR. DAVIS: I object.

MR. FLUEGEL: We won't press it.

Q What became of the lady, what happened there, do you know?

A No, I didn't see anything and I couldn't understand what she was saying.

Q Did any accident happen after that?

A Well, when she was coming downstairs, I believe she was all excited and she stumbled and fell down the last three steps.

Q The last three steps she fell down. Was Mr. Holmes there then or was he still on the third floor?

A He was on the third floor.

Q And this happened three steps from the second floor?

A Yes, about three steps.

(No cross examination);

(Testimony of the witness concluded).

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MR. FIUEGEL: I think we will rest our case in chief.

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Thereupon - - -

HATTIE E. PAGE,

the defendant under the original bill, produced on her own-behalf, having been first duly sworn according to law, was examined and testified as follows:

DIRECT EXAMINATION.

By Mr. Davis:

Q State your name, please?

A Hattie Page.

Q Where do you live, Mrs. Page?

A 1327 North Carey Street.

Q How long have you lived there?

A Nineteen years.

Q With whom did you live there?

A With my father and aunt.

Q Do anyone else live there in addition to them?

A Miss Marion Jones and Mr. Samuel Hill.

Q They are lodgers there?

A Yes.

Q Miss Jones has been there quite some time?

A Yes, sir, ten years.

Q At one time did she and her husband live there together?

A Yes, sir.

Q And Mr. Hill has been living there since when?

A About two years.

Q You have always lived with your father, is that correct?

A All my life.

Q Your husband has testified, Mrs. Page, that the first time he ever suspicioned your fidelity was at a party given at Elkridge or Patapsco at a Club at that time run by Mr. Bernard Taylor. He said he found you on the third floor talking to a man by the name of George Thomas?

A Yes, sir.

Q Were you at Patapsco with your husband?

A Yes, sir.

Q I want you to tell his Honor whether or not first that is correct?

A I was at Patapsco with my husband--

Q I mean whether he discovered you in a room on the third floor with George Thomas?

A He did not. I was standing at the foot of the steps, there were about a hundred people in the hall and I was standing there talking to him and when I started to go up the steps my husband was at the first landing and when I got up the steps he went on to fight me because I simply spoke to him down in the hall where there were about one hundred people other than myself, and when I went upstairs to the third floor to get my things, he and this fellow started a big argument, but I was not on the third floor, I was on the first floor hall with about one hundred other people.

Q What is on the first floor of that building or at the time they were running the country club?

A This night we went there they had a hall and in

this hall there was a piano and there was some dancing on either side of the hall, there were two rooms you could dance in, one on either side of the piano.

Q Your husband said also in his cross examination that there was nothing about his conduct in reference to the attentions he paid to Miss Johnson that would cause you to call him to task for it; is that correct or incorrect?

A It is incorrect.

Q What is correct?

A I was in one room and my husband was in another. Every time I went to the door to look for my husband he was with Miss Johnson and I said, "Herman, it certainly looks bad for you to be here tonight and treat me that way; every time I look for you you are with Miss Johnson," and it was the general talk of the whole assembly that he was always with Miss Johnson.

MR. FLUEGEL: We move to strike out the general talk of the assembly.

THE COURT: Strike it out.

Q That was all the talk you had with him at that time about Miss Johnson?

A Of course, we had an argument when we got home, I did not want to make any disturbance; there was enough disturbance down there.

Q Now, then, he said he came home and discovered you talking with a man and he said you told him it was Albert Smith, at first he testified to two conversations with Smith, one conversation, I think, he said you said to him, "Herman is home," and then you said "Yes or No", and that ended it. Did you have any such conversation with Smith?

A When my husband walked in the house that night, Samuel Hill was there, which he had always been a frequent visitor to the house, and the phone rang and I answered the phone and the fellow Smith called me and asked me if Grafton Jones was there to see him about work. I told him no. He said, "Who is there?", and I said, "My husband is here." He did not know who I was speaking to, he asked me and I told him.

Q Did you have another conversation— did he come in at some other time and over hear a conversation between you and Smith?

A He certainly did.

Q I want you to tell the Court whether you called Smith then, and if you called him, why you called him and what the conversation was?

A At the time the conversation was carried on, there was a Mr. and Mrs. Jones rented a room at our house and Mr. Jones was supposed to go to Havre de Grace to work. His wife had called up or written them, or something, and asked Mr. Smith if he would give her husband a position, as he had been out of work so long—

Q What was Mr. Smith's position?

A He was a waiter, I think, at the hotel at Havre de Grace, and she asked him if he would give her husband a position and in the meanwhile, the man called her husband up and offered her husband a better position and she says, "I got to go to work at five o'clock and I can't use the telephone for a long distance call at the Baltimore Country Club," and asked me if I would please call Mr. Smith up and tell him her husband had a better position and she said she wanted him to know it because he had been kind enough to offer him a job, and this day was Monday, the day he was

supposed to go. So when my husband came, he did not know again who I was talking to and I told him who it was and explained to him just why I called him up, and Mr. and Mrs. Jones both explained it to him.

Q And, of course, he lived with you after that?

A No, he left immediately.

Q Has there been anything irregular or improper in your relations with this man Smith?

A Never.

Q Has there ever been anything improper or irregular in your relations with this man George Thomas, whom you were talking to?

A No.

Q Now, this man Sam Hill, when did you first meet Sam Hill?

A I guess it has been about ten years ago, I was cleaning for a Mrs. Bosset on St. Paul Street, and Mr. Hill worked there at that time and he came back and forth in the house. That is how I first met him. After he left Mrs. Bosset he went to work at the Maryland Historical Society and they had just moved to Monument and Park Avenue



and they needed someone to do some cleaning and he called me up and asked me if I wasn't working if I would come there and do some cleaning for three days and I told him yes but it resulted in that I worked there about three years until the day I was married.

Q After you were married, did Mr. Hill call at the house?

A Yes, sir.

Q Whom did he call to see?

A He called to see anyone in the family. If one wasn't home, the other one would be, he did not call to see anyone in particular.

Q You mean your husband or your father?

A My husband or my father; if Mr. and Mrs. Jones were there, he would come in.

Q Was there anything secret about the visits of Sam?

A Nothing secret at all, my husband never said one word; they were just as friendly as could be.

Q Did he ever intimate to you, either before the separation or after the separation, that he suspected your

relations with Mr. Hill were irregular?

A Never in my life.

Q Today is the first you ever heard anything about it?

A Today is the first I ever heard anything about it.

Q He said he came in the house and found you and Sam sitting very close to each other on the sofa on the night this call came from Albert Smith?

A That night he came there we were both sitting on the couch, there is no doubt about that. It is a large couch and it will hold four, not only two.

Q Were you close together?

A No, I wasn't, because the register is in front of the couch and we were both sitting there on account of the heat.

Q Did your husband say anything to Hill as though he thought he was unduly familiar with you?

A Not one word.

Q Did he accuse you?

A He didn't say one word.

Q After Hill left?

A Never.

Q Didn't say anything about it until today?

A Never, never until today that I ever heard.

Q At the time he left, he says you told him to go and never to come back. Just you state, please, to the Court your recollection of what occurred on the day of the actual separation in June, 1924?

A After my husband came in and I explained to him about the telephone call he was furious apparently, or seemed to be, and he went upstairs and got his clothes and I talked to him. I said, "There is no sense in acting like that." I said, "I was doing it for a friend of yours", and he jumped into me for a big fight and when he left, my face was all bruised and he just went out the gate and said all sorts of nasty things to me and left.

Q Did you tell him to go and never to come back?

A No, I did not; I tried to make him come back.

Q Even after he actually left that day, did you ever make any advances to your husband to return to you?

A I certainly did.

Q What did you say?

A I called him up any number of times and tried to

get the matter over with, He has been to the house and we have talked the matter over and he went as far as— I think it was year before last, my husband was sick with tonsilitis and trying not to be mean, I had nothing against him, I sent him a potted plant and he called me up and returned the plant to me.

Q Has your husband ever returned to the house and resumed marital relations with you since June, 1924?

A Yes, he has.

Q How often?

A Any number of times.

MR. FLUEGEL: Let us have the month, now.

THE WITNESS: There is no particular months, he came there every week.

Q How long after the separation was the first time he came, as well as you remember?

A About a week afterwards.

Q How long did those visits continue?

A They continued until October.

Q And what year, of the same year?

A Same year, 1924.

Q Why was that discontinued?

A Because I told him not to come down any more.

Q Did he ever remain all night?

A Yes, sir, he did. In August he came to my house one Monday morning, at least about two o'clock. Mr. and Mrs. Jones, who were living there, went out and when they came back he came with them and I was upstairs, not asleep because the baby was sick with the whopping cough and Mrs. Jones called me and told me my husband was there and wanted to see me, and I went downstairs and he gave me one dollar and told me to take that and get the baby some medicine, and we stayed there and talked, and I said, "Well, I have to go upstairs." It was two o'clock in the morning, and he said, "Oh, I might as well go upstairs and stay here," and he went upstairs and stayed all night and the next morning when I got up to get breakfast, I said, "What is the matter?" He was standing in the door. He said, "Well, I haven't given you any money", and he said, "I will go out to my mother and father."

Q You mean you went out to get the breakfast?

A I went out to purchase breakfast and he was standing in the door.

Q About when was that?

A August, 1924.

Q The first time he came, he did not stay all night?

A No, that is the only time he stayed all night.

Q Did your father see him when he stayed all night?

A Yes.

Q How did he come to see him?

A It is the custom of my father before he goes to work in the morning to come in the room and he came there that morning and saw Herman in bed.

Q Of course, your mother is dead?

A Yes.

Q These other visits, as you say, how long would he stay?

A As long as he wanted, he never stayed all night but he had no particular time to stay.

Q He might stay two or three hours?

A Yes, sir.

Q And on those visits marital relations were resumed?

A Yes, sir.

Q And that continued up until October, 1924?

A Yes.

MR. FLUEGEL: As you are leading her, let us get the times. When was the last time?

MR. DAVIS: October, 1924.

THE WITNESS: That is the only night. I told him there wasn't any use to come back, we could not get along and keep coming back and doing things.

Q Did your husband call you up shortly after the separation in reference to your agreeing to permit him to divorce you on the ground of desertion?

MR. FLUEGEL: We object.

MR. DAVIS: The Court permitted him to answer that and he denied it.

THE COURT: Just for the purpose of contradiction, that is all.

Q Did he?

A Yes, he called me up and asked me if I would divorce him on the ground of desertion and I told him so far as I understood it was three years you had to separate before you could get a divorce on the ground of desertion

and he and I had not been separated a year, and after that I was working at the Young Men's Christian Association on Druid Hill Avenue and I was there with my baby, I carried him to work every morning, and he had a lawyer to come there to see me—

Q Well, you can't tell us what the lawyer said, but tell us the conversation you had with your husband after that lawyer's visit?

A I would not talk with the lawyer, I told him anything he had to say he would have to see Mr. Davis.

THE COURT: Strike that out.

Q What I want you to tell us now is the conversation you had with your husband after the conversation with the lawyer?

A My husband called me at the Y and asked me why wouldn't I talk to the lawyer he sent, what was I trying to do, making a ~~d~~ fool of him, after he sent the man there and I would not talk to him.

Q Is that all?

A He told me, "I will get it, I will get it by fair or foul means; I will get it."



Q When was that?

A April, 1925.

Q Mrs. Page, it has been testified to here that on April 5th, which was Easter Monday, 1926, you heard the testimony of the two detectives and your husband that a man by the name of Dixon met you at the house and drove you to Smith's Hotel and you remained there quite some time and they saw you look out of the window and that is the way they identified you and recognized you and they said they over heard you say to Dixon "That Herman is outside, that is my husband;" is that correct or incorrect?

A That is incorrect.

Q You remember the particular night, do you?

A I do.

Q Were you with William Dixon?

A I was not.

Q Where were you?

A I was at 1006 North Mount Street.

Q Who lived there?

A Mrs. Margaret Penn.

Q About what time did you go over there?

A I left home between eight and half past.

Q You left your house on Carey Street?

A Yes, sir.

Q About how far from your house is Mrs. Penn's house?

A I guess that is about six blocks.

Q Did you walk or ride?

A I walked.

Q Was Mrs. Penn there?

A She was.

Q What did you do after you went there?

A When I first went there we sat downstairs and played with the children, she had two children and I went upstairs and put the children to bed. We did not do anything but sit around and talk, she and I have been friends for life; just a friendly call.

Q About what time did you leave there?

A Oh, I guess between quarter past and half past ten; not any later than half past ten.

Q Did anyone come to accompany you home?

A They did.

Q Who?

A Mr. Samuel Hill. He was at my house when I left and I asked him would he please come after me because it was dark in that section of the city and I did not like the idea of passing it by myself, and especially the Colonial Hospital.

Q Was your father home when you got home?

A He was.

Q About what time did you get home?

A Around eleven o'clock.

Q This was Easter Monday, you say?

A Yes.

Q Were you at Smith's Hotel on Easter Monday of this year?

A I was not.

Q Were you there with Dixon or anyone else?

A I was not.

Q It has been testified also by Mr. Holmes and Mr. Green that you went into a hotel in Saratoga on Grand Street with a man named Nubby, is that true or not true?

A That is true. I don't know a man named Nubby, I guess the man they are talking about is Nebby, but I never

went in a hotel in Saratoga in my life.

Q Who is Nebby?

A He ate at the house where I was and was a frequent visitor there; he was there years before I was.

Q Did you go out with Nebby?

A Always with somebody else, I never went out myself.

Q When you say in company with someone else, whom do you mean?

A With girls I worked.

Q Where did you work?

A 23 Center Street.

Q What sort of a place is that?

A That is a cottage and they serve meals in the dining room.

Q Have you ever been in this hotel they spoke of in Saratoga, where they traced you?

A Never in my life. When I got through my work, I was too tired.

Q What time did you get through work?

A Nine or half past nine.

Q Would you get through as early as seven or eight o'clock?

A Never. The people did not leave the race track until half past six and by that time it was seven, and there was no way on earth I could finish waiting on the table and clear the dining room up and set the table by half past seven.

Q You knew that Mr. Holmes was at the hotel, didn't you?

A I knew Mr. Holmes the day he walked in, when he walked in and asked me for a room, I knew just who he was.

Q You suspicioned that he was an operative or detective, is that what you mean?

A I had every reason to know that Mr. Holmes was a detective and thought he was watching me, because he had followed me up in Baltimore. He almost walked beside me everywhere I went but he for some reason did not think I knew him.

Q Of course, he used another name?

A He introduced himself to people in the house as Doctor Handy and they thought he had a drug store in Chicago.

Q Did he ever attempt to have you meet another friend

of his while you were at Saratoga?

A While Mr. Holmes was in Saratoga a man came there daily with him by the name of Finney and Mr. Holmes asked me two or three times would I go out with him, he and Finney and a lady by the name of Rosa Williams, and I always refused and after I refused him, he sent this Miss Rosa Williams to tell me—

MR. FLUEGEL: Objected to.

Q This Miss Rosa Williams is the woman we had down here last week and who went back to Saratoga?

A Yes. He tried in every way to get me to go out with him and this man Finney.

Q You know where Holmes' room was, don't you?

A Yes.

Q There are two dining room there, aren't there?

A Yes, sir.

Q He stated he was able to look through the key hole and in looking through the key hole, he discovered you making love to Nebby and on that night he testified that Nebby stayed until four o'clock in the morning and that you and Nebby were very familiar. Tell his Honor the location

of those rooms— in the first place, were you ever in the dining room making love?

A No, I never was.

Q Did Nebby ever stay until four o'clock and become unduly familiar with you after any party?

A No.

Q Do you remember there was a party on the night Mr. Holmes said?

A I do.

Q Did you attend the party?

A I did, and I stayed up until half past eleven and I was indisposed and went to bed. How long the other folks stayed, I don't know.

Q Of course, you slept right at the place?

A Right at the place where I worked, the same place where Mr. Holmes lived.

Q Did you have your child with you?

A I had my child with me.

Q Was he there all the time--

MR. FLUEGEL: If your Honor please, we are entitled to know dates as we go along. My brother keeps on asking questions.

What date does this witness say she was indisposed and therefore she was not with Neby?

MR. DAVIS: The day that Mr. Holmes said, if the Court please, that this party was given, a ticket for which was offered in evidence here.

MR. FLUEGEL: I press my objection and want to know the date.

THE COURT: Ask her if she knows the date.

THE WITNESS: As far as I can remember, it was August 21st.

Q You left that party at 11.30?

A I left that party at 11.30 and went upstairs and went to bed, and how long Mr. Neby stayed there I haven't any reason to know because I never came back until the next morning.

Q Were there any other girls working there?

A I was the only girl working there but there were a number of young girls who lived there.

Q With whom did you sleep when you were there?

A I slept with Miss Beatrice Smith.

Q Where is her home?



A 2505 Madison Avenue.

Q In Baltimore City?

A In Baltimore City.

Q Was she there at the time you were in Saratoga?

A Yes, sir, when I went to Saratoga she was there and I left her there.

Q And, of course, she was there during the time Mr. Holmes was there?

A Yes, sir.

Q Is Miss Smith a married lady?

A She is and had her child with her.

Q Was she there to work?

A She was there to work but she did not work at the place I lived, she worked on the outside. They came there twice a day and at night.

Q And she had one of her children with her?

A The baby that was too small to walk.

Q After you returned to Baltimore, did you ever hear from Mr. Holmes?

A The day I came home to Baltimore, on Monday, April 6th, about six o'clock in the morning—

Q Not April 6th?

A I mean September 6th, Labor Day. When I came home, my father and the girl in the house said to me--

THE COURT: Don't tell that.

Q Did you talk to Holmes over the phone?

A I did. About eleven o'clock he called me up. He said, "I would like to speak to Mrs. Page." I said, "This is Mrs. Page." He said, "Do you know who this is?" I said, "No, I don't", but I did--

MR. FLUEGEL: Who is this?

THE WITNESS: Mr. Holmes, the detective.

MR. FLUEGEL: You have not laid any foundation for this.

MR. DAVIS: I asked him that and he denied it.

THE COURT: You can contradict that.

A (Continuing): He said, "I have been trying to get you for the longest time." He said, "You certainly stayed in New York a long time," and then he went on to ask me where Miss Rosa Williams lived. He said he had sent her a letter and it had been returned to him, and I explained to him I did not know her address but gave an address where

he could get information where she was. He said, "I am going to New York tonight or tomorrow morning and I certainly would like to see you before I go." I said, "I will be glad to see you." He said, "I will come up today." I said, "I can't see you today, I am tired, but I will see you tomorrow." He said, "All right, I will be up tomorrow about eleven o'clock." He said, "I have my friend here with me, Mr. Finney, the one that was so fond of you in Saratoga, is it all right to bring him along?", and I said, "Yes." He said "All right, I will be up at eleven o'clock." I went to his office. He was sitting behind the door in a chair, so I said, "You are Doctor Handy, Mr. Holmes?" I said, "Now, Holmes, I simply came here to tell you you fooled only yourself in Saratoga." I said, "I knew you were watching me," and I said, "The day you came there I told the two girls you rented the rooms from who you were; we went into your room one day and looked through your clothes and every piece of clothing had Baltimore in the back of your shirts and in the inside of your coat pocket 'The Hub, Baltimore'", and I said, "It certainly was funny if you had been from Chicago every thing you had was from Baltimore." I said, "I

came here to stop you from coming to my house." I said, "I don't think it would be the right thing for you to do, to come and pay me a social call." And as much as he said to me was "Well, Hattie, well," and asked me not to talk so loud.

Q Did you have a gun in your hand?

A Never had a gun in my life.

Q Is Mr. Dixon known to your family?

A Yes, my father knows him very well.

Q That letter there was written by you?

A Yes.

Q You have seen it?

A Yes.

Q Have there ever been any improper relations between you and Mr. Dixon?

A No, sir.

Q Or any other man since your marriage?

A No, sir.

MR. DAVIS: If the Court will recall, I questioned the plaintiff on the stand in reference to a disagreement he and his wife and this Miss Johnson had on Biddle

Street, and subsequent to that the Court asked whether or not I was asking that on my cross bill or cross examination. Does the Court prefer me to take that testimony now or take it on the cross bill?

THE COURT: I should think everything ought to be kept together.

Q (By Mr. Davis): In reference to the support of your child, Mrs. Page, after the separation or at the time of the separation, what, if any agreement was made between you and your husband as to your support and the support of the child, Mrs. Page, after the separation or at the time of the separation, what, if any, agreement was made between you and your husband as to your support and the support of the child?

MR. FLUEGEL: Can't we say to your Honor whoever gets the custody, your Honor is going to say how much shall be paid? What is the use going into that?

MR. DAVIS: We are asking the custody of the child, whereas this is reference to the interest he paid to the child prior to the filing of this bill. He testified he paid regularly, that there were no arrearages.

THE COURT: Well, I would not believe him if he did. No man ever supported his child the way it should be supported when he was separated from his wife.

Q (By Mr. Davis): In reference to seeing the child, did you write your husband a letter to which letter this is an answer?

A I did.

Q What was in the letter you wrote to your husband?

MR. FLUEGEL: I object to that.

MR. DAVIS: He stated what was in it.

MR. FLUEGEL: It does not make any difference if he did, you asked him the question. If you want her to state what was in the letter, you must show that letter itself.

Q Where is that letter?

A My husband must have it.

MR. FLUEGEL: You have made no application for the letter.

MR. DAVIS: We ask for it now.

MR. FLUEGEL: We haven't got it now.

THE COURT: I do not see the importance of it.

MR. DAVIS: Nothing, except he said we would not let him see the child whenever he wanted to see it.

THE COURT: Well, I did not believe that either.

CROSS EXAMINATION.

By Mr. Fluegel:

Q Now, Mrs. Page—

THE COURT: I understand you are confining the testimony of the respondent here to the charges made by the husband, is that it?

MR. DAVIS: That is it, your Honor.

Q (By Mr. Fluegel): Now, you tell us that you knew Mr. Holmes was following you all night, both here and in Saratoga?

A Yes, sir.

Q And when he called you up in August, 1926 and asked whether he could come up there with this other party, you said you would be very glad to see him?

A Come up where?

Q To see you?

A It wasn't August, it was September.

Q All right, September?

A September 6th, 1926.

Q If you were an innocent woman, do you mean to tell the Court when a man has been following you and deceiving you all this length of time and that he has deceived you, that you say you would be very glad to have him see you?

A I did, I simply said that to put him off.  
I had called Mr. Davis up and told Mr. Davis--

Q Never mind what you told Mr. Davis.

THE COURT: You cannot tell what you told Mr. Davis.

Q The next is this: In September, 1926, you had known all along that Mr. Holmes had been following you?

A Yes, sir.

Q And yet you told him when he calls you on the phone in a very friendly way, you would be glad to see him?

A I did, but didn't I stop him? I went to his office after he called me up.

Q Then you mean to tell the Court that you know these things and this man has been deceiving you and you go right to his office?



A Do you know why I went there?

THE COURT: Answer the question.

A Yes, I went there.

MR. DAVIS: You might tell why.

Q Before you went to his office—

A I went to Mr. Holmes' office because he had called me and told me he was coming to my house and I was sure if he came to my house and I said to him, "Holmes, you aren't Doctor Handy", he would not have admitted it and I figured by going to his office and catching him right in his office, there wasn't any way for him not to say what he was doing.

Q Before you went to see Mr. Holmes on that very day in September, you first went to Mr. Davis' office, didn't you?

A Yes.

Q And you left Mr. Davis' office and went right to Mr. Holmes?

A I certainly did.

Q And Mr. Davis knew you were going to Mr. Holmes' office?

A Yes.

Q You have told us that this letter is your letter that you wrote?

A Yes.

Q If you are an innocent woman, why did you write to another man whom you are charged by Holmes with going to the Smith's Hotel and occupying a room with him, "Dear Daddy". He isn't your daddy, you say you live with your father?

A I do.

Q How is this man your daddy?

A He isn't my father.

Q No, but what do you mean by that; why do you, if you are an innocent woman, write to another man from Saratoga Springs, New York, months after you had been accused of having adulterous relations with this man in Baltimore City, why do you write to him this, "I have not heard from you for quite a few days and of course I am sorry." What are you sorry about, why are you sorry about another man if you are an innocent married woman, living in Baltimore?

A Because I had expected to hear and I did not hear and I said I was sorry.

Q If this man was not your lover or sweetheart, why did you want to hear from him and have adulterous relations with him?

A Are there any adulterous relations of there?

Q Of course not, but you had been accused since April of it?

A Well, accused and proving is two different things.

Q After you are accused, you still write to this man that you are sorry because you have not heard for a few days. How often prior thereto had you heard from him between April and August, because you say you have not heard for a few days?

A Well, I don't know; I don't know the exact time.

Q Was it a week or two weeks or three days?

A I don't know the exact time.

Q How many letters between April 5th and the 23rd of August did you receive from this man?

A I did not receive any.

Q But you say you have not heard for quite a few days, if you were in Saratoga and he was in Baltimore, how would you hear from him?

A In different ways except by letters.

Q Well, tell the Court about it?

A I don't say anything about writing letters, I didn't say I had not had a letter.

Q When you say you have not heard from this man for quite a few days, tell us when did you hear from him?

A I could not tell you exactly when I heard from him.

Q Could you say whether it was a week or two weeks or a month before?

A I could not tell you.

Q Well, when do you think you had heard from him?

A It might have been two weeks.

Q How did you hear from him two weeks before that?

A I did not get it through a letter.

Q Well, how, then, tell his Honor if you have had legitimate communications with him, let us know?

A Well, I had a telegram from him.

Q Have you that telegram?

A No, sir, I have not.

Q What did he say in that telegram?

A I don't remember, it has been so long.

Q What business did you have getting a telegram?

A No business, he was a friend of mine and he sent me a telegram.

Q Were you so intimate with him if you did not hear from him every few days you would have to have a telegram from him?

A No, it wasn't that; I wasn't intimate with him; he isn't only a friend of mine but a friend of my father.

Q What was the nature of the telegram, was it social or business?

A I don't know, I don't remember.

Q Well, we are now only in November, this happened this same year only a few months ago?

A Lots of things happen I could not remember.

Q Tell us the last time you and William Dixon were together?

A That I don't know; I wasn't in company with William Dixon.

Q When was the last time, you know that?

A I don't know.

Q Was it a month ago?

A I don't know, I haven't seen Mr. Dixon.

Q How often have you seen him in the last thirty days?

A I haven't seen Mr. Dixon.

Q Have you spoken to him on the telephone?

A No, I haven't seen him.

Q And he has not seen you?

A Well, if he seen me, I don't know it.

Q Do you want to tell us now you have not seen Mr. Dixon since you came back in August, 1926 or in September, from Saratoga?

A No, I did not say I had not seen him since then.

Q Well, how often have you seen him?

A If I have seen, I just simply met him casually on the street.

Q Well, how often?

A About once or twice.

Q In what month?

A I don't know what month because I did not pay that much attentinn to it.

Q Now, then, if your relations with this man are innocent, why did you ask him to give you some money? Why have you got to get from another married man money?

A He and my father were friends and if I was in need of money, I asked him to lend me money.

Q That is why you wrote to him from Saratoga that you wanted some money, you did not say he and your father were friends?

A I didn't have to say that, that was understood.

Q Why didn't you ask your father for it?

A Maybe I did ask my father.

Q Weren't you getting fourteen dollars a week alimony from the Court?

A I was.

Q Weren't you working besides?

A I was.

Q Why did you need money from this man?

A That is my personal business.

Q You can't tell the Court why that was, can you?

MR. DAVIS: Why what was?

THE COURT: Do not interrupt.

Q Let me ask you something else. Why did you tell him you were getting ready to leave there the following Monday and were going to New York, did you want to meet him in New York?

A No, I did not.

Q What did you want to let him know that for?

A I said I was going to New York with friends.

Q You don't say anything about friends here?

A I can't remember the exact words of the letter.

Q Wasn't it a fact you simply wanted to meet him in New York?

A No, I did not.

Q Wasn't it a fact you wanted money from him so as to buy clothes and things in New York?

A I don't know, I wanted to borrow the money to use for personal reasons.

Q Wasn't it to buy personal things for yourself?

A That is what the letter says isn't it?

Q Well, it was so, wasn't it?

A Yes.

Q "Please let me hear from you at once," why did you want to hear from him at once?



A Well, if I wanted the money I was going to leave there and there wasn't any sense in sending it there if I was not there.

Q Then you gave this letter to a girl friend of yours, didn't you?

A Yes, sir.

Q What was her name?

A Mrs. Rosa Williams.

Q Did you or not expect Mrs. Rosa Williams to be in company the same day with Mr. Holmes?

A I don't see why I wouldn't, because Mr. Holmes was in company with her all the time.

Q But didn't you tell us you knew that Holmes was simply a detective following you?

A I certainly did, but I asked her to mail the letter, I did not ask her to give it to Mr. Holmes to mail.

Q You wouldn't have given to her if you thought Mr. Holmes was going to get it?

A If I didn't know Mr. Holmes was following me, why would I go into his personal effects?

Q What right had you to go into another man's personal effects?

A Because he was living in Saratoga under an assumed name and I wanted to prove to the people where I was stopping that I wasn't mistaken, I was telling them exactly what was right, that Mr. Holmes wasn't from Chicago but from Baltimore.

Q Do you think you would recognize his clothes if they were in Court?

A No, I don't say that, but I told you the suit he had on inside of his pocket--

Q What color was it?

A A darkcolored suit.

Q Black, brown or gray?

A It wasn't black.

Q Was it brown?

A I can't say but I know it wasn't black.

Q Do you recognize this suit?

A I don't know whether I do or not.

Q That follows your description?

A I haven't given any description yet, I said it wasn't black.

Q Was it black?

A It was neither black nor white.

Q You would not deny these were his clothes?

A No.

Q You wouldn't deny he had these clothes right there?

A No, I would not.

Q Suppose you look and see if you cannot find anything from The Hub or anything in there?

A He has had from August to now to destroy those marks. The suit that I found it was in the inside pocket right here (indicating).

Q Well, there is the inside pocket, he has had three months to cut those things out, Now, then, you saw The Hub in there?

A I saw it not only myself but another girl who lived in the house with me.

Q After you saw that and after you knew in Saratoga he was a detective following you there, you nevertheless came back to Baltimore in the following September and told him you would be very glad to have him come up and see you?

A I did, and I meant— I did not want him to think I suspected him and let it go at that.

Q What night did you say you were there at the home of Mrs. Penn?

A April 5th.

Q What night of the week was that?

A Monday night.

Q Why do you happen to remember you were at Mrs. Penn's that night?

A Because Mr. Dixon called me the day after and told me that my husband had accused me of being with him.

Q Yes?

A And that was on April— that was Tuesday and that night was Monday night that I was at Mrs. Penn's.

Q Who did Dixon say had seen you there?

A He didn't say anyone had seen me there, he said they had told him; he didn't say anything about seeing me.

Q Who is "they"?

A I guess he meant my husband and Green and Holmes.

Q Didn't you ask him "Why do you say I was there at the hotel?"

MR. DAVIS: Would a conversation between her and Dixon be admissible?

THE COURT: She is being cross examined about a statement she made in chief.

A What was your question?

Q You said you were told that you had been at Smith's Hotel, which you denied, and you say you think it was your husband and Green and Holmes; what did they tell you at that time that they knew about your having been there?

A Who?

Q The ones that told you?

A I said Mr. Dixon told me.

Q What did he say, what did he claim at that time?

A I tell he said they had accused me of being with him the night before.

Q Did he tell you he had not been with you?

A He didn't have to tell me, I knew that.

Q That very night you say you got home about eleven o'clock?

A I couldn't say eleven on the dot, between

eleven and half past eleven.

Q What time did you leave your home that night?

A Between eight and half past eight.

Q That was 1327 North Carey Street?

A 1327 North Carey Street.

Q When you went, did you go in a car or walk?

A I walked.

Q And you walked from there direct to where?

A 1006 North Mount Street.

Q Had you been with Mr. Kelson in a machine on that day?

A I had not.

Q Why did you tell Mrs. Dixon, the wife of Mr. Dixon, when she came and spoke to you, that you had not been her husband but you had been with Mr. Kelson in her machine?

A I told Mrs. Dixon I had been in a machine with Mr. Kelson, I didn't say when it was-- I didn't know whose machine it was-- I said I had been in a machine with Mr. Kelson a friend of his from New York.

Q Was that morning, noon, or night when you were in

the machine?

A In the day, but I didn't state what date.

Q What day was it?

A It had been, I guess, a couple weeks previous but I did not know whose car it was.

Q Isn't it a fact you told her on that very day, very night, April 5th, you had on that very night been in the car of her husband's but that you were with Mr. Kelson?

A I did not.

Q And that he had borrowed the car?

A I didn't tell her I was in a Buick car, but whose it was I didn't know.

Q Is Mr. Dixon's car a Buick car?

A Yes, it is a Buick car.

Q Has Mr. Kelson got a car?

A He has not but he didn't at that time.

Q What was he doing with Mr. Dixon's car?

A Well, they were friends, I guess he could borrow it.

Q Then he was taking you out in a borrowed car?

A I didn't say it was Mr. Dixon's car, I said it was a Buick car.

MR. DAVIS: Who else was with you?

THE WITNESS: Miss Ruth Trent from New York.

Q (By Mr. Fluegel): What date was that?

A I don't know the exact date but I suppose about two weeks before this—

Q We are not talking about two weeks before, we are talking about this very day?

A I couldn't tell you that very day if I wasn't there that very day.

Q But I want to get an explanation from you why you should tell Mrs. Dixon that you were in Mr. Kelson's car when she is talking about what occurred on April 5th, 1926, and you are talking about something that occurred two weeks after that?

A She asked me— she had heard that I had been in her husband's car, she did not say when.

Q Didn't she say on April 5th?

A She didn't say what date.

Q Didn't she say she had read about this matter in the Afro-American about this trouble and came to see you about it?



A She certainly said she read about it and she said she heard I had been in his car but when, she did not say.

Q Why didn't you give her an explanation about not having been in the hotel that night?

A She didn't ask me about that, she said she had read in the paper and I said, "Mrs. Dixon— she did ask me, she said, "What is all this I read in the paper?"

Q She was suspicious of you and wanted to get some information from you?

A Only what she read in the paper.

Q But as you knew she was suspicious of you from what she had read in the paper, why did you, if you were an innocent woman, write from Saratoga, New York, to her husband for money?

MR. DAVIS: She explained that once.

THE COURT: Go ahead?

A I said Mr. Dixon and my father had been friendly and I simply wrote to him for money, meaning I wanted him to lend me the money, not to give it to me.

Q You didn't ask Mrs. Dixon to lend you the money,

did you?

A I didn't know her well enough.

Q How well did you know Mr. Dixon outside of the fact you say he was a friend of your father?

A Nothing other than that.

Q You didn't know him so well if you were worried because you had not heard from him for a few days and called him "Dear Daddy", did you?

THE COURT: Isn't that letter unsigned?

MR. FLUEGEL: Yes, sir.

Q Why didn't you sign your name if this was legitimate?

A Well, because I did not want to sign my name.

Q You didn't want it known what your relations were with Mrs. Dixon, isn't that true?

A Not any relations.

Q When I say, "Relations", I mean to say you were intimate with him, so intimate with him you asked him to buy clothing for yourself?

A I didn't say clothes.

Q Let us see whether you did not: "And get some money

because I want to buy some things in New York."

A There are lots of things other than clothes.

Q I asked you a couple minutes ago and you said yes, clothes and things. How often have you gotten money from Mr. Dixon, had he ever loaned you money before?

A No.

Q How long have you known him?

A Quite a few years.

Q How is it you, knowing in August, you asked this man for clothes, when you know that his wife is suspicious of you and that you are accused of having adulterous relations with him; why do you then first ask him for money, wouldn't that be the time that you would at least not have any communications with him?

A Mr. Dixon said he felt sorry for me because the things that had been said were all together wrong and any time he could do anything to help me, he would do it.

Q And that is why in the following August you thought you would get some money from him to buy some clothes, is that it?

A Well, I can ask a favor of him.

Q But it is peculiar why you should ask him for

this when he was accused of having committed adultery with you?

A You don't know whether I asked anybody else or not.

Q Had you asked any other man for money to buy clothes?

A I asked my father.

Q Then you knew it was not right to ask anybody but your father?

A If a person says they will do you a favor, you ask them to see whether they will do it.

Q Did you get the money?

A No, I did not get a letter.

Q And you didn't write to him any more after that, did you or didn't you?

A No.

Q Didn't you write to him since?

A No.

Q Think one moment and see if you did not write another letter?

A No.

Q Will you say to the Court that you cannot say how

often you have spoken to him since the 23rd day of August, 1926, can you?

A No, I can't.

Q And you can't tell us the places where you saw him since?

A I have seen him in the street.

Q What street?

A I don't know exactly what street.

Q How many streets, a half dozen streets?

A No, I have not seen him a half dozen times.

Q Did you see him morning, noon or night?

A There wasn't any particular time to see him.

Q Well, have you seen him after seven o'clock at night?

A I never had any watch to tell what time I seen him, when I have seen him I met him on the street.

Q What was his name, this man Nebby?

A Yes, sir.

Q Nebby what?

A Thomas Nabby.

Q Did you call him Nabby?

A Everybody called him Nabby.

Q Where did you get acquainted with Nabby?

A In Saratoga.

Q What month?

A August, 1925.

Q And in August, 1926, Nabby was there in Saratoga too?

A Yes, sir.

Q What was he doing for a living then?

A He is a tailor.

Q How far from 23 Center Street were you stopping?

A I guess about two blocks or a block and a half.

Q Well, he was a married man, you knew that?

A No, sir, he was not.

Q He was not married?

A No, sir.

Q How do you know that?

A Well, so far as I know, he is not married.

Q Did you ask him?

A Well, one reason I say he is not married, the folks in the house where I stopped have been knowing him six or

seven years and I never heard them say he was married.

Q You did not ask them that?

A I had no reason to ask them but so far as I know he was not married.

Q How often did you say you were out with Nabby?

A I never was out with Nabby alone.

Q Well, how often with him and others?

A We went to a dance once and one night I went to moving pictures.

Q How often did Nabby come to the house to see you, 23 Center Street?

A He never came there particularly to see me, he came there two or three times a day to get his meals.

Q How many evenings during the week would he pass there or be in there?

A He would come there-- he ate there.

Q Yes, and in the evening he did not eat after seven o'clock, did he?

A Yes, meals were served there as late as half past nine.

Q Did he eat at half past nine?

A I haven't any particular time to say when he ate.

Q But you waited on him, did you?

A Yes, and I would have a hard job to figure what time he ate every meal from the first of August to the first of September.

Q During that period of time, was the dining room next to the room occupied by Holmes?

A It was two dining rooms, one was there and the other was at the other end, there were two dining rooms and a porch.

Q There was nothing to prevent Holmes from looking from his room into the dining room?

A One dining room it was not.

Q And you sat in that dining room many a time when you did not work?

A Never in the front dining room.

Q Did you sit in the back dining room?

A Yes.

Q How often did you see Nabby in the back dining room outside of when you waited on him?

A I couldn't exactly tell you, Nabby was a friend



of the girls where I worked and he come there when he wanted to.

Q But he wasn't a friend of yours, was he?

A Not any particular friend. Nabby would come there and do little odd jobs for the girls.

Q But at the same time Nabby was going to the dances with you?

A He carried me and two other girls to a dance.

Q Did you ever go out in an automobile with him?

A Never in my life.

Q Did you ever go to a moving picture with him?

A Yes.

Q Did you go to theatre with him?

A Moving pictures once.

Q What time did you quit work at night?

A Nine or half past nine.

Q Would you sit on the porch and see him?

A No.

Q What time did he bring you home when he brought you home from the moving pictures and dances?

A The night we went to the dance, the three of us,

it was about half past one, and the night we went to moving pictures we went to the hall and one of the girls went to get a drink of water and I went to send a message to my father and while there Mr. Holmes and this girl passed by.

Q Where did these girls live?

A All three lived in the same house.

Q And all three of you had the same beau that night?

A He wasn't a beau, he simply went along with us.

Q Was he your boy friend?

A He wasn't my boy friend.

Q What explanation have you to make to the Court if, as you say, you had known all along he was a detective and came to watch you at Saratoga and went to dances with him?

A Went with who?

Q Holmes?

A I never went outside of the door with Holmes.

Q Did you ever tell him why?

A I had no reason to.

Q Did he ever ask you to go out with him?

A He asked me to go out with him and this fellow Finney.

Q Why didn't you say, "I am not going out with you, you are a detective"?

A I told him I would let him have his pleasure up here, I had no reason to tell him; but he asked me any number of times to go out with him and this fellow Finney but I always told him I was tired or had something to do with the baby.

Q Mr. Dixon isn't in Court, is he?

A I don't see him.

Q Can you tell us where to get him?

A How do I know?

Q You don't know where the correspondent named in this case is and you have not summoned him?

A No.

MR. DAVIS: That responsibility is mine. You summoned him. Does that answer your question? .

MR. FLUEGEL: Yes, we tried to get him.

THE COURT: Do you object?

MR. DAVIS: Yes, sir.

THE COURT: Sustained.

Q (By Mr. Fluegel): When you finally separated from your husband, you told him not to come back any more?

A No, I didn't tell him that my husband said that; I did not say it.

Q Didn't you tell him in August and you say here, "Then I told him he couldn't come back?"

A No, I didn't say that.

Q Is your memory good?

A No, my husband said I told him not to come back but I didn't say it. He claims I said it, but I didn't.

Q When did you say was the last time you and he occupied a bed together?

A August.

Q Didn't you tell him in October not to come back?

A I certainly did.

Q That is what I say?

A I was separated from him then.

Q I say so, that is correct, that is what I want to get from you. You told him not to come back?

A Oh, I thought you meant did I tell him not to come back the day he left. That is what my husband said.

Q Is Mrs. Penn in Court?

MR. DAVIS: Yes, she will be the next witness.

Q When you say Holmes followed you daily in Baltimore City, from when until when did he follow you that you observed?

A Well, shortly after this article came out in the Afro I can say Holmes and Green followed me any time.

Q I mean prior to April 5th, when they say they caught you?

A I don't know. They just stopped here recently, that is, Mr. Green has just stopped.

Q You say you knew Holmes was following you all the time; when was that, from when until when?

A I say when the issue of the Afro came out I knew then that Green— I say about two weeks after the issue of the Afro came out, I was going down Presstman Street one day with the girl that lived with me, and Mr. Green and Mr. Holmes were coming up the street in the car and

they stopped me and turned directly down and just went straight on down the street with me and I went to 1926 Druid Hill Avenue and when I left, they stopped following me corner Druid Hill Avenue and Presstman Street.

Q Well, at any rate, you knew they were following you?

A Mr. Green has kept a trail up and down in front of my door, and one morning he passed by and I was looking out the window and three girls stopped and talked to me and when they left me, Mr. Green called them and asked them what I said about him, and the girl came back and told me what he said.

Q This thing happened for several months, you thought they were trailing you and being an innocent woman, you did not ask them what they were following you for?

A I did stop Mr. Green and ask him.

Q When?

A In September.

REDIRECT EXAMINATION.

By Mr. Davis:

Q In reference to that last answer, Mr. Green stated you stopped him once on Carey Street and told him you did not blame him, that was his business and he would never get you again. Did you ever make any such statement to Mr. Green?

A I did not.

Q What was the conversation, did you stop him or did he stop you?

A For several mornings my father had noticed Mr. Green passing up and down the street. One particular morning I was looking out of the window and Mr. Green passed and I said, "You are certainly having a good time." He went to the corner, turned around and came back. He said, "What did you say to me?" I said, "You are certainly having a fine time passing up and down this block following me." He said, "Oh, I am just electioneering." I said, "Do you just electioneer in one block?" He said, "I heard you were down to my office the other day." I said, "Yes, I was down there to keep Mr. Holmes from coming to my house." He said, "Yes, you are all right." He said, "I think I will give you a job being a detective, I think you

will make a whole lot better detective than Holmes," and then he tried to get a little fresh there.

Q What did he say?

A I had on a waist that was a little low and I had a mole, and he said, "Mrs. Page— no, he did not say Mrs. Page, he said, "Hattie, that is certainly a good looking mole you have there." He said, "Come downstairs, I want to talk to you", and I said, "If you have anything to talk to me, you can go to Mr. Davis' office and we will all talk together."

(Testimony of the witness concluded).

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Thereupon - - -

MARGARET PENN,

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

DIRECT EXAMINATION.

By Mr. Davis:

Q Your name, please?

A Mrs. Margaret Penn.



Q Where do you live?

A 1006 North Mount Street.

Q Do you know Mrs. Hattie Page?

A Been knowing her all my life.

Q What is your business, Mrs. Penn?

A Well, my business is I keep a hair dressing  
parlor,

Q You don't keep that at your home?

A No, indeed.

Q Are you married?

A Married.

Q Have you any children?

A Two children.

Q Can you recall Easter Monday night, which I understand was April 5th of this year?

A Yes, Easter Monday night, April 5th.

Q Do you remember whether or not Mrs. Page was at your house that night?

A She was at my house that night between 8.30 and 10.30. She came to pay me a friendly call.

Q What did she do while there?

A She did like we always do, she sat down and talked and I had to put the children to bed and she went upstairs with me and she stayed up there with me and it was about 10.30, and I never saw her until a couple days after that, when she told me that she had had some trouble.

Q About this trouble?

A Something about her husband accused her of being with some other man. Well, I knew it did not happen that night because between 8.30 and 10.30 she was at my house.

Q That is what caused you to remember that particular day?

A Why, certainly.

Q How did she go home, did someone call for her?

A Yes, sir, Mr. Hill called for her.

Q That is the Hill, you mean Sam Hill?

A Yes, that is the gentleman who called for her, Samuel Hill.

Q That is all you can remember?

A That is all I can remember.

Q What time they got home or where they went, you don't know?

A No, sir.

Q You are positive it was Easter Monday night?

A I am positive it was Easter Monday night.

Q And you are positive she mentioned it to you two or three days afterwards?

A Yes, sir.

CROSS EXAMINATION.

By Mr. Fluegeli

Q She told you two or three days afterwards she was accused of going to Smith's Hotel?

A No, she did not tell me that; I never even asked her.

Q Did she say who was supposed to be with her?

A No, I didn't know anything about this case.

Q You did not see the Afro-American either, did you?

A Well, if I saw it, I did not pay much attention. I don't like that news like that.

Q How long have you been a very good friend of Mrs. Page prior to the 5th of April?

A All my life, since I was about four years old.

Q And you are still a very warm friend of her?

A Yes, sir, I am.

Q And you want to help her all you can?

A I will help anybody I can when I know they are in the right.

Q All you know is that between 8.30 and half past ten she was at your house?

A That is all I can tell you.

Q And at that time she was living at 1327 Carey Street?

A Yes, sir.

Q And you were living where?

A 1006 North Mount Street.

Q Do you know Mr. Dixon?

A No, sir, I don't know him and I never seen him.

Q Have you ever been up to Mrs. Page's house?

A I have been there, I guess about a thousand times in my life.

Q Day time or night time?

A Night time, I go there night time if I feel like it.

Q Have you ever seen Mr. Dixon there?

A No, sir, never saw him there.

Q And this man who is said to be a good friend of the father, you never saw him in the thousand times you have been there?

A No, sir.

(Testimony of the witness concluded).

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Thereupon - - -

WILLIAM S. HILL,

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

DIRECT EXAMINATION.

By Mr. Davis:

Q What is your name?

A William S. Hill.

Q They call you Sam Hill?

A Yes, sir.

Q How old are you, Sam?

A Forty nine years old.

Q Where do you work?

A Goucher College.

Q What do you do there?

A Chief cook.

Q Do you know Mr. Herman Page?

A Yes, sir.

Q Do you know Mrs. Hattie Page?

A Yes, sir.

Q Do you know her father, Mr. Burley?

A Yes, sir.

Q When did you first become acquainted with Mrs. Page?

A Well, between eight and nine years ago.

Q When did you first become acquainted with Mr. Page?

A Well, I probably know Mr. Page in the neighborhood of six years, probably seven.

Q Since he was married, I suppose?

A I knew him previous to that, but not personally.

Q Did you visit that house frequently-- you live there now, don't you?

A Yes, sir.

Q How long have you been living there?

A Going on two years.

Q Who else lives there besides you?

A Miss Holmes.

Q That is the lady who was referred to as Mrs. Jones?

A Yes.

Q And Mrs. Bradley, her aunt, I think.

Q What room do you occupy there?

A I have the middle room on the second floor.

Q What room does Mr. Burley occupy?

A He has the next room as you go up the steps.

Q Next to you?

A Yes, sir.

Q What room has Mrs. Page?

A The front room.

Q When I say, "Mr. Burley", that is her father's name?

A Yes, sir.

Q In other words, her father's room is between your room and her room?

A Yes, sir.

Q And Miss Holmes or Mrs. Jones stays on what floor?

A Third floor front.

Q And Aunt Carrie stays where?

A Third floor back.

Q How often have you visited that house before you came there to live?

MR. FLUEGEL: I want to call the Court's attention to the fact we are not naming Mr. Hill correspondent in this case.

MR. DAVIS: You certainly accuse him of it.

Q When did you begin to visit this house?

A Shortly after I met Mrs.---

Q When you were working at the Maryland Historical Society?

A When I was working at the Maryland Historical Society.

Q Did you meet Mr. Burley?

A Yes, sir.

Q What was your purpose?



A I had no purpose whatever, I came there to visit Mr. Burley. Mr. Burley gave me the privilege to come there whenever I felt like it; I had a key to the door.

Q Did Mr. Page know that?

A Yes, sir.

Q Did Mr. Page ever make any objection to that arrangement?

A No.

Q Mr. Page testified on one occasion in 1924 he came home and found you and his wife seated on the sofa in the parlor very close and that she jumped up in such a position as to arouse his suspicion. Have you ever been intimate with Mrs. Page?

A Never in my life.

Q Did Mr. Page ever discover you in any such position on the sofa as to arouse any suspicion of undue familiarity with his wife?

A Nothing at all. If Mr. Page would come in the house there, I would sit on the sofa beside his wife, there was no place else to sit.

Q Did he ever accuse you at any time?

A No, sir, not to my face.

Q When did you go there to live, Sam?

A I came there, I guess, about twenty months ago.

I disremember it.

Q Have you ever seen Mr. Page since he left his wife?

A Oh, yes, I have seen him several times; quite often.

Q Have you ever loaned Mr. Page any money since he left his wife?

A I have.

Q How much?

A Four dollars.

Q When was that?

A About two years ago, now.

Q Where were you when he borrowed it?

A Royal Palace Theatre.

Q Where?

A Royal Palace Hotel.

Q Has he paid you?

A No, sir.

MR. FLUEGEL: Objected to and I move to strike it out.

MR. DAVIS: I only offer that to prove if he had accused this man of being familiar with his wife, he borrowed the money from him.

MR. FLUEGEL: For the purpose of credibility?

MR. DAVIS: Yes.

THE COURT: Do you press your motion?

MR. FLUEGEL: No, not under the circumstances. I would suggest this, Mr. Davis, I don't quite see that this gentleman's testimony is of very much importance and I would not put in the record any more than is necessary.

MR. DAVIS: No, sir, but I don't know how much attention the Court was paying to the fact that he said he saw him on the sofa with her.

THE COURT: You asked the witness here whether or not anything occurred that aroused his suspicion, that isn't a question of proximity at all. He might have been across the street. I did not draw any inference from that at all. He might be jealous for a great many reasons.

Q Do you remember Easter Monday night Sam?

A I do.

Q Do you remember whether or not you had occasion to call at any one's house for Mrs. Page?

A I do.

Q Where did you call?

A I call 1006 Mount Street.

Q Whose house is that?

A Mrs. Penn's.

Q Why did you happen to go there?

A Why, Mrs. Page asked me in the evening as I was going out. She said, "Where are you going?" I said, "I ain't going no where particular." She said, "I am going over to Vi's, do you want to come over for me?" I said, "All right." She said, "I might be a little late." I said, "All right."

Q Did you call for her?

A I did.

Q About what time?

A I got there around ten o'clock, I suppose; as near as I can think, I did not notice the time.

Q She was there, was she?

A She was there.

Q And you did see that she got home safely?

A I did.

Q Where did you go?

A I left Mrs. Penn's house and came to 1327 Carey Street.

Q Her home?

A Yes, sir.

Q Was her father home?

A He was.

Q At what time did you go to bed or what time did she go to bed?

A Well, I went to bed I guess, about quarter to twelve, as near as I can think; I judge about that time.

Q Did you hear anything about the fact that later or subsequent to that she was accused of being out that night at Smith's Hotel with this man Dixon?

A Well, I heard it probably the next day or the next night. Of course, I wasn't there in the day time, I was working.

Q Did she tell you?

A When I walked in the house someone was talking about it and I asked what was it and they up and told me.

She did not come up to me and tell me, that was my first knowledge. So I said to her, "Well, somebody--

MR. FLUEGEL: Don't tell what he said to her, you know that is not evidence.

THE COURT: Strike that out. Don't tell what anybody told you.

MR. DAVIS: I want to find out how he understood she was accused of this adultery and remembered what happened on Easter Monday night.

THE COURT: You can ask him how he remembers it.

MR. DAVIS: That is the question. Now, I want to know--

Q When did you hear she was accused of this adultery?

MR. FLUEGEL: He said the next day.

Q Then you remembered it, you say?

A Yes, sir.

Q Where did you hear it?

A At the house.

Q Have you ever been familiar or have any intimate relations with Mrs. Page, Sam?

A Why no, indeed, I have not; she worked with me four years. I had no reason to have any.

Q You know what I mean, do you, I mean sexual intercourse?

A No, sir.

THE COURT: He does not mean that, what he says is something entirely different.

Q Did you understand my question?

A Explain it.

Q Have you ever had any sexual intercourse with Mrs. Page?

A No, sir.

CROSS EXAMINATION.

By Mr. Fluegel:

Q Now, then, the very next day after this happened at Smith's Hotel, at the house where you were living, which is the house where Mrs. Page lives 1327 Carey Street, you were told about her being accused of having sexual relations or occupying a bedroom with Dixon, is that right?

A That is right.

Q Where was this, was it in the living room or

downstairs or where was it?

A It was in the parlor.

Q Who was there, Hattie Page?

A As near as I can figure now, I would not say positively.

Q Who was there, you and Mrs. Hattie Page and who else?

A And Miss Holmes.

Q Miss Holmes, you say?

A Yes.

MR. DAVIS: That is, the former Mrs. Jones?

THE WITNESS: Yes, sir.

Q Just you three?

A Yes, sir, and her aunt; I don't know why she was out just at that time.

Q Had you been to work that day?

A No, sir.

Q Was this before supper or after supper?

A It was in the afternoon.

Q That means on the sixth day?

A As near as I can come to it, I would not say



whether it was exactly four o'clock, six o'clock or seven o'clock.

Q Well, think and make up your mind?

A I would not say what time.

Q You said afternoon and now you say--

A Well, afternoon.

Q The afternoon generally is from twelve to six, it isn't any different on Carey Street, is it?

A No.

Q At any rate, on that afternoon, which is the very next day after this occurrence at Smith's Hotel is when her aunt and Mrs. Jones and you and Mrs. Page were in the dining room or some room there at 1327 North Carey Street, and they told you about her being accused of having these relations and occupying a bed room at Smith's Hotel, is that right?

A Well, her aunt, I did not put her in it.

Q Well, the others told you but she herself--

A There weren't any others, only Mrs. Page told me they accused her-- I understood her to say Mr. Dixon called up and said they accused her of being with him and I said, "That is impossible because I know you were over

at Vi's last night, how the dickens could you be with Dixon?"

MR. FLUEGEL: I move to strike it out.

THE COURT: Go ahead.

Q The afternoon of that day, I understand you to say you did not go to work?

A No, sir, I went to work on the 9th, or the 7th, 8th or 9th. That was my Easter vacation.

Q Between the 5th and 9th you did not work, is that right?

A No, sir.

Q Why did she tell you about that, are you her friend or confidential man?

A No, I am not her friend.

Q Why did she tell you about being accused the night before of having been with Dixon?

A Just simply as she tells me, just as she tells me anything else if I come in the house, as I am a friend of the house; she tells me anything.

Q When she told you that, did she say anything about who the men were that had been following her?

A She did not say anything about men following her.

Q Did she tell you how she knew she was accused the night before of being at Smith's Hotel?

A She did not say , I don't suppose she knew it.

Q Well, she knew she was accused of being with Dixon?

A That is all.

Q But she did not tell you how she knew it?

A I did not ask her.

Q And she did not volunteer to tell you?

A No, sir.

Q Then you yourself don't know how it is she would know already the next day, if she was innocent and not there, that she was accused of it?

A I understood her to say someone called her up. I don't know who it was.

Q Mrs. Dixon or someone called up and told her?

A I didn't say Mrs. Dixon.

Q Well, somebody did, did she say who it was?

A I think she said Mr. Dixon or someone.

Q Did you see Mr. Dixon there the next day?

A No, sir.

Q When did you see Dixon there next?

A I never have seen him.

Q You have never seen Mr. Dixon at the house at all?

A No, sir.

Q You have never seen him in conversation with her father or anybody else in the house?

A I have seen him in conversation with her father on the street.

Q But it is a fact you have never seen him at the house?

A Well, I am not in the house all the time. He may have been with her father as far as I know.

Q You have been living there since when?

A I told you twenty months practically.

Q And in the past twenty months you have never seen him at the house, is that right?

A I have not seen him.

Q And you are there day times and you are there night times?

A No, I work in the day time.

Q At that time in April, at least from the 5th to

the 9th, you were there, you did not work at all; you were home, weren't you?

A I was there when I felt like being there.

Q And during that time you did not see Mr. Dixon there?

A Not in those five days.

Q You have never seen any special friendship or familiarity between Mr. Dixon and anybody else in that house?

A No one at all; I never seen Mr. Dixon in that house.

(Testimony of the witness concluded).

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Thereupon - - -

WILLIAM A. BURLEY,

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

DIRECT EXAMINATION.

By Mr. Davis:

Q Your name, please?

A William A. Burley.

Q Where do you live?

A 1327 North Carey Street.

Q Is that where your daughter, Mrs. Page, lives?

A Yes, sir.

Q How long has she lived with you, all her life?

A All her life.

Q Has she ever lived away from home?

A No, sir, the only time she was away from home is when she went away to school.

Q That was when she was in Charney, Pennsylvania?

A Charney, Pennsylvania.

Q Who else lives there, Mr. Burley?

A Miss Marian Holmes, my aunt, Miss Mary E. Coleman, and Samuel Hill.

Q Samuel Hill was not living there, however, at the time Mr. Page was living with his wife?

A No, sir. .

Q Can you recall Easter Monday?

A Yes, sir, I can recall it very well.

Q By the way, what is your occupation?

A I am a bell captain at the Southern Hotel.

Q Prior to that, I believe you were head bell man at the Rennert Hotel how long?

A I was head bell man for seventeen years and I worked there seven years on the side, which makes me about twenty four consecutive years at the Rennert Hotel and about seven and a half at the Southern Hotel.

Q How old are you, Mr. Burley?

A Fifty four years of age.

Q Do you recall Easter Monday of this year?

A I remember it very well, sir.

Q Were you on or off?

A I was on Easter Monday from twelve, at noon, until six in the afternoon.

Q Which made you have Easter Monday night off?

A I was off Easter Monday night.

Q Do you know where your daughter went on Easter Monday night?

A My daughter left my house to go to Miss Vi Penn's house, 1006 North Mount.

MR. FLUEGEL: He don't know where she went.

THE COURT: He can say his daughter left the house and that is all.

Q She left about what time?

A I guess about half past eight or between half past eight and nine.

Q What time did she return?

A She returned between ten and half past ten.

Q With whom did she return?

A Mr. Hill.

Q Were you up when she came in?

A I was, sir.

Q Were you downstairs?

A Downstairs in the parlor.

Q How long did you stay up?

A We all stayed up until very near twelve o'clock.

Q Then what did your daughter do?

A She went to bed, we all went upstairs; my daughter and I went to bed.

Q Your daughter occupied what room?

A The second story front room.



Q And the next room is occupied by whom?

A By me.

Q And the next room is occupied by whom?

A Samuel Hill.

Q The child, I suppose, stays with her?

A No, the child stays with me.

Q And you are positive that was Easter Monday?

A I am positive that was Easter Monday.

Q When did you first hear your daughter was accused of having been out with this man Dixon?

A Well, I was off Easter Monday night, I went to work early Tuesday morning. I come home between half past twelve and one o'clock, which was my usual time to come home, because I always come right straight home from work, and my daughter started to prepare my lunch for me and she told me about this accusation that had been made. I told her, "There ain't nothing to that—"

MR. FLUEGEL: I move to strike that out.

THE COURT: Strike it out.

Q That is when you first heard of it?

A The next afternoon.

Q When you arrived home from the Southern Hotel?

A Yes, sir.

Q Then you say you remember at what time she came home the night before?

A Oh, yes, sir.

Q You were not home, I suppose, at the time of the actual separation between your daughter and Mr. Page?

A No, sir, I was at work.

Q Do you recall it happened about June, 1924?

A It happened June 26th— June 26th, 1924.

Q Do you recall whether or not you ever saw Mr. Page at your house after that?

A Yes, sir.

Q If so, when?

A It was in August, I cannot recall the date.

Q Of the same year?

A Of the same year, 1924.

Q Under what circumstances did you see him?

A He was in bed, in Hattie's bed. When I get up in the morning I always go over in my daughter's room before I go to work and he was lying in bed.

Q I suppose in his bed clothes?

A Yes, sir.

Q Did you have any conversation with him?

A Not a bit, sir.

Q You have never seen him there at any other time?

A No, sir.

Q That was about August, 1924?

A I can't recall the date.

Q You went out and left the house?

A I went out and went to work.

Q Do you know Mr. Dixon?

A Yes.

Q How long have you known him?

A I have been knowing Mr. Dixon, I guess, about five or six years; something like that.

Q The letter that was written by your daughter, you don't know anything about that?

A No, sir.

Q Mr. Dixon is a friend of yours?

A Yes, sir.

Q He does come to the house occasionally?

A He has been to the house, yes, sir.

CROSS EXAMINATION.

By Mr. Fluegel:

Q How old is your daughter?

A My daughter is thirty three years old.

Q How old is Mr. Dixon?

A I don't know Mr. Dixon's age, sir.

Q Is he younger or older than your daughter?

A I could not tell you.

Q How often have you seen him at your house in the last twelve months?

A I think he stopped there one Sunday; I seen him there once.

Q One Sunday in the whole twelve months?

A One Sunday in the whole twelve months.

Q Never been there oftener?

A That is all.

REDIRECT EXAMINATION.

By Mr. Davis:

Q You mean in the last twelve months?

A In the last twelve months.

MR. FLUEGEL: In the last twelve months, that is what I want to know.

(Testimony of the witness concluded).

\*\*\*\*\*

Thereupon - - -

FATHER OLIVER W. DEVENISH,  
a witness of lawful age, produced on behalf of the de-  
fendant, having been first duly sworn according to law,  
was examined and testified as follows:

DIRECT EXAMINATION.

By Mr. Davis:

Q Your name, please, Father?

A Oliver W. Devenish.

Q Do you know Mr. and Mrs. Page, Father?

A Yes.

Q How long have you known Mrs. Page, Father?

A I would say eight years.

Q How long have you known Mr. Page?

A The same time, I met them both the same time.

Q Did you meet them prior to their marriage-- you  
married them, did you not?

A Yes.

Q Did you know them prior to the marriage?

A Yes.

Q Are you acquainted with Mrs. Page's reputation for

chastity—

MR. FLUEGEL: Objected to.

THE COURT: I do not think that is relevant, Mr. Davis.

Q You are acquainted with Mrs. Page personally, are you, father, and Mr. Page?

A I know Mrs. Page quite well and I know Mr. Page. I would say I casually met him a number of times.

Q Do you think she is or is not a proper person to have the custody of her infant child?

MR. FLUEGEL: First before he shows that, I think he ought to show a little more familiarity to qualify the witness. The mere fact he is a Priest does not qualify him.

THE COURT: That only goes to the weight of his testimony. As I understand the rule, any kind of evidence is admissible that involves the custody of children. I will let him answer.

(Question here read by the reporter).

A I think she is.

CROSS EXAMINATION.

By Mr. Fluegel:

Q On what do you base your opinion, Father; do you know Mr. Page?

A Yes, I know Mr. Page.

Q What you know about both of them is good or bad?

A What I know about Mrs. Page is quite good and what I know about Mr. Page I would say it is indifferent. I don't know Mr. Page well enough to give a decided opinion. As I have said, I know him, I would express it as casually; maybe a little better than that; but I am not at all intimate with Mr. Page or well acquainted.

Q We are only referring to the custody of the child here. How often have you been in the home where the child lives?

A That would be difficult to tell. I am her Priest and--

Q My question is how often have you been in the home?

A I go occasionally. I suppose-- well, I know Mrs. Page as a member of the chapel since 1919 and I knew

her two years prior to that. Before that, I did visit there to instruct her and her father in confirmation. Since that time, I suspect I have visited the house, I would say, two or three times a year.

Q In the last twelve months you have not been there more than two or three times?

A I do not believe I have been there more than four or five times in the past twelve months.

Q And how long would you stay there, a few minutes at a time?

A Yes.

Q And that is all you know, is that it?

A Yes, sir.

Q And that is all you base your opinion on?

A Well, I base my opinion on Mrs. Page's consistency as a member of the chapel of which I am Vicar. I look upon her as a consistent member of the congregation and have looked upon her as such. I have no reason to think she isn't an acceptable member of St. Catherine's Church.

Q Well, Father, a person may be a good church member but isn't necessarily a proper guardian for the child, isn't that so?



A No.

Q And if you think if a person is a good member of the church that person is the proper person to be the guardian of the child?

A A consistent member of the church is a proper guardian for the child.

(Testimony of the witness concluded).

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## TESTIMONY ON BEHALF OF THE PLAINTIFF IN REBUTTAL.

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Thereupon - - -

BLANCHE DIXON,

a witness heretofore produced, sworn and examined on behalf of the plaintiff, was recalled in rebuttal on behalf of the plaintiff and testified as follows:

## DIRECT EXAMINATION.

By Mr. Fluegel:

Q Mrs. Dixon, when Mrs. Page was on the stand I asked her whether she had not told you on the 5th day of April, when she was accused of being with your husband, whether she had not told you she was on that day in your automobile with a Mr. Kelson--

MR. DAVIS: I object, if the Court pleases.

THE COURT: Let him finish.

MR. DAVIS: I thought he had finished.

Q Tell us when you went to see her on that day what did she tell you about having been with Mr. Kelson and when?

MR. DAVIS: We object, if the Court pleases,

as not rebuttal.

THE COURT: Sustained. You can ask her if having heard Mrs. Page's testimony does she want to make any change in her testimony.

Q You heard the testimony of Mrs. Page?

A Yes, sir.

Q What have you to say?

A Mrs. Page did not really recite the occasion just as it was. When I went to her home on that evening--

MR. DAVIS: She has not said whether she wants to make a change or not.

THE COURT: Don't criticise what Mrs. Page said, you answer the question, and that is, having heard Mrs. Page's testimony, what change, if any, do you want to make in your testimony?

A I wanted to say that Mrs. Page did not state that I asked her in regard to where she was on that night--

MR. DAVIS: Objected to.

THE COURT: The question is not Mrs. Page's testimony but have you any change to make in your testimony after hearing Mrs. Page's testimony.

THE WITNESS: I simply wanted to state that she absolutely—

MR. DAVIS: We object again.

THE COURT: You cannot criticise Mrs. Page's testimony. You either want to stand by your testimony or change it. Do you want to change it?

THE WITNESS: I want to change it then.

THE COURT: Go ahead.

THE WITNESS: I want to say in this respect I did not get a chance to say when you asked me about going to see Mrs. Page, about the night she was in the car with my husband. Now, I asked her if the report in the paper was absolutely true as it reached me and she denied that and she said it wasn't my husband but Mr. Kelson. She stated Mrs. Dixon called her up and told her. I did not see Mrs. Page until two weeks after that affair.

MR. DAVIS: I think Mrs. Page did not say Mrs. Dixon called her up, she said Mr. Dixon.

THE WITNESS: I understood her to say that.

Q (By Mr. Fluegel): Mrs. Page had said on the stand that she did not say on what date it was that she was

with Mr. Kelson in your automobile. I want to know from you did she or did she not?

MR. DAVIS: Objected to.

THE COURT: I will let her answer that.

A Mrs. Page admitted just as the article was in the paper, that she was out that night, but not with my husband but with Mr. Kelson, and I asked her for a statement so that I might show it or have it put in the Afro and she refused to give it to me and told me to go see Mr. Davis, and I went to Mr. Davis the next day and he said he would not give a statement.

Q Did you or not show the article in the Afro to Mrs. Page?

A I did not show it to her, I asked her about it.

Q Did she say she had or had not read it?

A Well, she must have read it because she was making apologies to me, and she said she saw it and she was sorry it happened on my behalf. Now, she has admitted everything else is true and I believe she is guilty.

THE COURT: Strike that out.

Q I want to know whether or not she told you or she

denied on that night, April 5th, 1926, being in your automobile?

A Yes, she admitted that she was in there.

CROSS EXAMINATION.

By Mr. Davis:

Q How long after April 5th was it you saw Mrs. Page and had this conversation?

A I could not tell you exactly.

Q About when?

A The article came out, as you know, right after Easter Monday, the first issue of the Afro, the Thursday following the Easter Monday and I did not read the article until about a week later, when someone brought it to me and showed it to me and I went to Mrs. Page the very same day.

THE COURT: Don't repeat what you have already said.

Q Didn't Mrs. Page deny she had been with your husband that night, didn't she also deny she had been with anyone that night and state she had been in a car with this man Kelson and a girl friend from New York?

▲ No, she did not. She denied she was in the car  
with my husband.

(Testimony of the witness concluded).

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2.

4. State whether you mailed any letters or cards or sent any telegrams for Mrs. Hattie Page to Mr. Hill, Mr. Dixon or Mr. Smith while you were in Saratoga, New York.

5. What did Hattie Page claim was her reason for being alone, or with you in Saratoga, New York, in 1926?

6. Describe how many dining rooms were at the Saratoga House, or in any other hotel or boarding house where you say Hattie Page in 1926, in Saratoga, New York, and tell us where she entertained you when Mr. Holmes was there?

7. State whether it is not a fact that Mrs. Hattie Page came to New York after she left Saratoga and that she was in your company there for a day or two before she returned to her home in Baltimore, Maryland.

IN THE CIRCUIT COURT NO.2

B 261  
1926

OF

B886  
1926

BALTIMORE CITY

J. HERMAN PAGE

VS.

HATTIE PAGE.

(IN CROSS BILL)

HATTIE PAGE

VS.

J. HERMAN PAGE

PETITION & ORDER THEREON

Mr. Clerk:-

Please file.

*Davis & Evans*

ATTORNEYS FOR PETITIONER

*No 26729 B*  
*13-124*

*Copies Inter Copies*

DAVIS & EVANS

ATTORNEYS AT LAW

*By 28. Decem 1926*

J.HERMAN PAGE

:

IN THE CIRCUIT COURT NO.2

VS.

HATTIE PAGE

(IN CROSS BILL)

:

OF

HATTIE PAGE

VS.

J.HERMAN PAGE

:

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of Hattie Page by her attorneys, Davis and Evans is as follows:-

I. That there is pending in this Court a suit in which testimony was taken on the 19th, 22nd and 23rd of November, 1926, and in order that your petitioner may further defend herself in this case it is necessary to take testimony of one Thomas A. Nabbie, 2427 Seventh Ave. New York City, which person was unable to appear at the hearing of the above case by the Court.

Wherefore your petitioner prays that this Honorable Court may grant leave to your petitioner to take the testimony of the said witness before Phillip J. Jones, 379 Bridge Street, Brooklyn, New York on the 5<sup>th</sup> day of January, 1927 at 2:30 P.M. in conformity with Sections 17 and 18, article 35 of the Code of Public General Laws of Maryland.

  
ATTORNEYS FOR PETITIONER

17

Upon the foregoing petition it is ordered by the  
Circuit Court No. 2 of Baltimore City this 28<sup>th</sup> day of December,  
1926 that a commission be issued directed to Phillip J. Jones,  
379 Bridge St., Brooklyn, New York to take the testimony of Thomas  
A. Nabbie, 2427 Seventh Ave., New York City on the 5<sup>th</sup> day of  
January, 1927 at 2:30 P.M., ~~provided~~ a copy of this order along  
with the interrogatories <sup>having been</sup> served on J. Herman Page or his  
Counsel on or before the ~~day of~~                      1926. ~~This order~~

being issued upon statement of her counsel that  
she the defendant would pay the cost of  
the commission and the taking of the testimony

Charles F. Rosen

J. HERMAN PAGE

:

IN THE CIRCUIT COURT NO.2

VS.

HATTIE PAGE

:

OF

IN CROSS BILL)

HATTIE PAGE

VS.

J.HERMAN PAGE

:

BALTIMORE CITY

---

INTERROGATORIES

THOMAS A. NABBIE  
2427-7th Ave.,  
New York, N.Y.

1. What is your name?
2. What is your occupation?
3. What was your address in August, 1926?
4. Do you know Mrs. Hattie Page?
5. Did you or did you not call to see her at her place of occupation at 23 Centre St., Saratoga Springs, N.Y.?
6. If so, how often?
7. It has been testified in the case of Herman Page Vs. Hattie Page that in August, 1926 you were seen to enter the Saratoga House, Grand Ave. , Saratoga, N.Y. in company with Mrs. Page; and both of you went to second floor of said hotel entering a bed room. What have you to say to that?
8. Have you ever been in any hotel bedroom with Mrs. Page?
9. Have you ever engaged in sexual-intercourse with Mrs. Page, either in Saratoga Springs, New York in the month of August, 1926 or any where or at any other time?

10. It has been testified that you called to see Mrs. Page one night during the week beginning August 23, 1926 and that she entertained you in the dining room of 23 Centre Street. What have you to say to that?
11. During the above visit, it has been testified that you were seen to kiss Mrs. Page and to indulge in other affectionate familiarities with her. Have you ever kissed or indulged in any other affectionate familiarities with her?

In the CIRCUIT COURT NO.2 of  
BALTIMORE CITY.

----- x

J. HERMAN PAGE,

Plaintiff, :

-against- :

HATTIE PAGE,

Defendant. :

----- x

Questions and Answers to Thomas A. Nabbie.

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INTERROGATORIES and  
CROSS INTERROGATORIES

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----- X  
 J. HERMAN PAGE : IN THE  
 Vs. : CIRCUIT COURT NO. 2  
 HATTIE PAGE : OF  
 ----- X BALTIMORE CITY

STATE OF NEW YORK )  
 CITY OF NEW YORK )ss.:  
 COUNTY OF KINGS )

THOMAS A NABBIE, being duly sworn deposes and says:

That I solemnly swear and promise in the presence of the omniscient and the heart-searching God, that I will speak the truth, the whole truth, and nothing but the truth, as I will answer for the same to the great Judge of the quick and the dead.

State of New York, }  
 COUNTY OF KINGS, } ss.: I, WILLIAM E. KELLY, CLERK OF THE COUNTY OF  
 OF THE SUPREME COURT for said County (said Court being a  
 DO HEREBY CERTIFY that

*Philip J. Jones*

the NOTARY PUBLIC before whom the within acknowledgment or deposition was made, was at the time of taking the same authorized by the laws of the State of New York to take the acknowledgments and proofs of deeds or conveyances for lands, tenements and hereditaments situate, lying and being in said State of New York. And further that I am well acquainted with the handwriting of such Notary, and verily believe that the signature to said certificate of proof, acknowledgment or deposition is genuine.

In Testimony Whereof,

I have hereunto set my hand and affixed the seal of the said County and Court, this 5 day of January 1927

*W. E. Kelly*  
 Clerk.

----- X  
 J. HERMAN PAGE : IN THE  
 Vs. : CIRCUIT COURT NO. 2  
 HATTIE PAGE : OF  
 ----- X BALTIMORE CITY

STATE OF NEW YORK )  
 CITY OF NEW YORK ) SS.:  
 COUNTY OF KINGS )

THOMAS A NABBIE, being duly sworn deposes and says:

That I solemnly swear and promise in the presence of the omniscient and the heart-searching God, that I will speak the truth, the whole truth, and nothing but the truth, as I will answer for the same to the great Judge of the quick and the dead.

Sworn to before me this  
 5th day of January, 1927.

*Philip J. Jones*

*Thomas A Nabbie*

I, WILLIAM E. JONES, Notary Public for the State of New York, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in my records.  
 W. E. Jones  
 Notary Public  
 State of New York

J HERMAN PAGE : IN THE  
vs. : CIRCUIT COURT NO.2  
HATTIE PAGE : OF  
Bill and Cross Bill of Complaint : BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

At the execution of the annexed commission issued out of the Circuit Court No.2 of Baltimore City, and to me directed, empowering me to examine witness in the above entitled case. I, PHILIP J. JONES, the Commissioner in the said commission named, having first duly taken the oath to said commission annexed, met on the 5th day of January, 1927, at 379 Bridge Street, in the Borough of Brooklyn, City and State of New York, at 2:30 o'clock P. M., pursuant to notice, and I then and there proceeded to take the following deposition, that is to say:

THOMAS A. NABBIE, 2427-7th Avenue, New York City, New York, the witness of lawful age produced on behalf of the plaintiff being by us as sworn in due form of law, being examined on the following Interrogatories to him profounded in that behalfs, deposeth and saith as follows, that is to say:

INTERROGATORIES

THOMAS A NABBIE  
2427-7th Ave.,  
New York, N. Y.

1. What is your name?  
A. Thomas A. Nabbie.
2. What is your occupation?  
A. Tailoring.
3. What was your address in August, 1926?  
A. 54 Congress Street, Saratoga, New York.
4. Do you know Mrs. Hattie Page?  
A. I do.

5. Did you or did you not call to see her at her place of occupation at 23 Centre Street, Saratoga Springs, New York?

A. I did.

6. If so, how often?

A. Twice daily, the place where I saw her was a restaurant.

7. It has been testified in the case of Herman Page Vs. Hattie Page that in August, 1926, you were seen to enter the Saratoga House, Grand Ave., Saratoga, N. Y. in company with Mrs. Page; and both of you went to second floor of said hotel entering a bedroom. What have you to say to that?

A. That is untrue.

8. Have you ever been in any hotel bedroom with Mrs. Page?

A. Never.

9. Have you ever engaged in sexual-intercourse with Mrs. Page, either in Saratoga Springs, New York, in the month of August, 1926, or anywhere or at any other time?

A. No.

10. It has been testified that you called to see Mrs. Page one night during the week beginning August 23, 1926, and that she entertained you in the dining room of 23 Centre Street. What have you to say to that?

A. That is untrue.

11. During the above visit, it has been testified that you were seen to kiss Mrs. Page and to indulge in other affectionate familiarities with her. Have you ever kissed or indulged in any other affectionate familiarities with her?

A. No.

No exhibits.

No other witness being named or produced to me by the attorney for the Plaintiff or Defendant. The said commission was closed, and now returned under my hand on this 5th day of January, in the year of our Lord nineteen hundred and twenty-seven, at the City of Baltimore, State of Maryland.



PHILIP C. JONES, Commissioner.

J. HERMAN PAGE : IN THE  
vs. : CIRCUIT COURT NO.2  
HATTIE PAGE : OF  
Bill and Cross Bill of Complaint; BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

THOMAS A. NABBIE, a witness of lawful age produced on behalf of the plaintiff and duly sworn being now cross examined on the following Cross Interrogatories, to him profounded on behalf of the defendant, deposes and saith as follows, that is to say:

CROSS INTERROGATORIES

THOMAS A. NABBIE  
2427-7th Avenue,  
New York, N. Y.

1. What instructions did you receive from Mrs. Hattie Page, or her attorneys, Messrs. Evans and Davis, or either of them, concerning your testimony in this case?
  - A. None.
  
2. What letters, or cards, or other communications have you received from Mrs. Hattie Page in the last twelve months?
  - A. None.
  
3. What did Mrs. Hattie Page tell you concerning a Mr. Hill who lived at her home, or a Mr. Dickson, with whom she was charged with occupying a bed room at Tom Smith's Hotel, on Druid Hill Avenue, in Baltimore City, Maryland, or with Albert Smith, who is serving as a waiter at a hotel in Havre de Grace, Maryland?

A. That something was never discussed.

4. State whether you mailed any letters or cards or sent any telegrams for Mrs. Hattie Page to Mr. Hill, Mr. Dickson or Mr. Smith while you were in Saratoga, New York.

A. Never.

5. What did Hattie Page claim was her reason for being alone, or with you in Saratoga, New York, in 1926?

A. That has never been stated, because she was never with me in Saratoga Springs, New York, I only knew her as she worked in a restaurant there.

6. Describe how many dining rooms were at the Saratoga House, or in any other hotel or boarding house where you say Hattie Page in 1926, in Saratoga, New York, and tell us where she entertained you when Mr. Holmes was there?

A. Two dining rooms at 23 Centre Street, at the cottage where Mrs. Page was occupied. As to the Saratoga House, I do not know, as this place is frequented by the very best class of colored people. I was never solely entertained by Mrs. Page any where in the presence of Mr. Holmes or anyone else.

7. State whether it is not a fact that Mrs. Hattie Page came to New York after she left Saratoga and that she was in your company there for a day or two before she returned to her home in Baltimore, Maryland.

A. No, she was never entertained by me in New York, or any other place.

No exhibits.

Ct. Ct. No. 2.

886  
1916

B

No. 3A Docket

J Herman Page

vs.

Katie Page

(and Cross Bill)

Commission to

Phillip J Jones

Esg.

To take Testimony  
Brooklyn N.Y.

The execution of this commission appears by certain schedules hereunto annexed.

Phillip J Jones

Commis'r.

SEAL.

No. 26729 B  
24.

Filed 6 day of Jan 1917



# The State of Maryland.

To Phillip J Jones Esq.

COMMISSIONER named on the part of the Complainant, and Defendant

Know Ye, that you are appointed COMMISSIONER TO EXAMINE WITNESSES in a case depending in the Circuit Court No. 2 of Baltimore City, between

J Beruan Page

Complainant

and

Kathie Page

Defendant

Wm Cross Bice

Therefore you are requested, after having taken the oath hereunto annexed, that at such time and place as to you shall seem convenient, after having given due notice to the respective parties or their solicitors, you cause to come before you all such witnesses as shall be named or produced to you, either by the Complainant or Defendant, and that you examine them upon their corporal oaths, to be by you administered on the Holy Evangely of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and having reduced the depositions of the witnesses so taken by you into writing, you send the same with this commission, closed under your hand and seal, to the Judge of the said Court, with all convenient speed.

JAMES P. GORTER

Witness, The Hon. HENRY D. HARLAN, Chief Judge of the Supreme Bench of Baltimore City,

the 8<sup>th</sup> day of November 1926

ISSUED the 28<sup>th</sup> day of December 1926

Charles W. Main Esq., Complainant's Solicitor

Davis and Evans Esq., Defendant's Solicitor.

John Pleasant  
Clerk.

### COMMISSIONER'S OATH.

You shall, according to the best of your skill and knowledge, truly, faithfully, and without partiality to any or either of these parties, take the examinations and depositions of all and every witness and witnesses produced and examined, by virtue of the commission hereunto annexed, upon the interrogatories now, or which may hereafter, before the said commission is closed, be produced to and left with you, by either of the parties—So HELP YOU GOD.

*I will Philip Jones*

### CLERK'S OATH.

You shall truly, faithfully and without partiality to any or either of the parties in this case, take, write down and transcribe the depositions of all and every witness or witnesses, produced before and examined by the Commissioner *Philip Jones* ~~of them~~ named in the commission hereunto annexed, as far forth as you are directed and employed by the said Commissioner or of them, to take, write down, and transcribe the said depositions, or any of them—So HELP YOU GOD.

*I will Eleanor Brooks*

IN THE CIRCUIT COURT NO.2

261  
1926

OF

BALTIMORE CITY

JAMES HERMAN PAGE  
vs.  
HATTIE E. PAGE

CROSS BILL

HATTIE E. PAGE  
vs.  
JAMES HERMAN PAGE.

DECREE TO DISMISS

CROSS BILL.

*Jury Sten*

No 26729 B.  
<26>

CHARLES W. MAIN,  
Attorney at Law,  
2 E. Lexington St.  
Baltimore, Md.

FILED

2nd February 1927

JAMES HERMAN PAGE,	:	
Complainant,	:	
vs.	:	IN THE
HATTIE E. PAGE,	:	
Respondent.	:	CIRCUIT COURT NO. 2
<u>CROSS BILL.</u>	:	
HATTIE E. PAGE,	:	OF
Complainant,	:	
vs.	:	BALTIMORE CITY.
JAMES HERMAN PAGE,	:	
Respondent.	:	

This cause standing ready for a hearing, testimony having been taken in open Court and having been submitted, the counsel for the parties were heard and the proceedings read and considered.

It is thereupon, this 2<sup>nd</sup> day of ~~January~~ <sup>February</sup>, 1927, by the Circuit Court No. 2 of Baltimore City, ADJUDGED, ORDERED and DECREED that the Cross Bill filed in this cause by Hattie E. Page be and the same is hereby dismissed.

AND IT IS FURTHER ORDERED AND DECREED that the costs incident to the Cross Bill proceedings shall be paid by the Respondent in the Cross Bill, James Herman Page.

AND IT IS FURTHER ORDERED AND DECREED that all other questions raised by the Bill and pleadings be and they are hereby reserved.

*Charles F. Sherr*

*W. C. ...*

SERVE ON

J. Herman Page  
627 Cumberland St

Ct. Ct. No. 2 B 35B.261  
1927

J. Herman Page

vs.

Hattie Page

**ORDER OF COURT NISI  
For Contempt**

ORDER

No. 26729 B  
4277 4287

Copy - Equid

Filed 15 - August 1927

14

6 copy of the within Order of Court served on  
J. Herman Page on the 16<sup>th</sup> day of August  
1927 in the presence of George G. Brulerick  
John C. Potter  
Sheriff

Fees \$0.75



J. Herman Page

vs.  
Hattie Page

IN THE  
Circuit Court No. 2  
OF  
BALTIMORE CITY

Ordered by the Circuit Court No. 2 of Baltimore City this 15th day of August 1927, that the Plaintiff appear before this Court in person, on the 22nd day of August, 1927, at 10 o'clock A. M., and then and there show cause, if any he may have, why he should not be punished for contempt of this Honorable Court in not obeying the Order of this Court passed on the 21st day of May, 1926, directing the payment of Alimony, *pendente lite*, by him to the Defendant; provided, a copy of this Order be served on the said Plaintiff on or before the 20th day of August, 1927.

Albert S. ...  
Judge.

7/10

True Copy: Test

.....  
Clerk.

arrears - \$ 30<sup>00</sup>

Ct. Ct. No. 2 33 B <sup>261</sup> / 1927

*J. Herman Page*

vs.

*Matthie Page*

**ORDER OF COURT NISI  
For Contempt**

ORDER

*Levy*

No. .... B

Filed. .... 192...

J. Herman Page  
vs.  
Lattie Page

IN THE  
Circuit Court No. 2  
OF  
BALTIMORE CITY

Ordered by the Circuit Court No. 2 of Baltimore City this 15th day of August 1927, that the Plaintiff appear before this Court in person, on the 22nd day of August, 1927, at 10 o'clock A. M., and then and there show cause, if any he may have, why he should not be punished for contempt of this Honorable Court in not obeying the Order of this Court passed on the 21st day of May, 1926, directing the payment of Alimony, *pendente lite*, by him to the Defendant; provided, a copy of this Order be served on the said Plaintiff on or before the 20th day of August, 1927.

Albert S. J. Owens  
Judge.

True Copy: Test

*m. Pleasant*  
Clerk.

The defendant having read the arrears of alimony due herein, the above order is hereby rescinded by the Circuit Court # 2 this 19th day of August 1927

Albert S. J. Owens



Serve on Walter E. Page  
1327 N. Carey St.

20  
Aug 27  
10 a.m.

In the Circuit Court  
Nov of <sup>B886</sup> 1926  
Baltimore City

James Herman Page  
Walter E. Page  
Walter E. Page  
James Herman Page

Order of Court

No 26729 B.  
7297

copy received

Ed 19th August 1927  
14

copy of the within Order of Court served on  
Walter E. Page on the 24<sup>th</sup> day of August 1927  
in presence of Joseph H. Crosby  
John C. Fotee Sheriff  
New No. 75

James Herman Page

versus

Hattie E. Page

Hattie E. Page

versus

James Herman Page

In The Circuit Court

no 2

of

Baltimore City

It is hereby on this 19<sup>th</sup> day of August 1927 ordered by the Circuit Court No. 2 that the <sup>\$</sup>50<sup>00</sup> counsel fee due J. Seword Danis from J. Herman Page be paid to the said J. Seword Danis and that the said Hattie E. Page show cause on or before the 29<sup>th</sup> day August 1927, why she should not pay the sum of \$46<sup>83</sup> costs due to the Circuit Court No 2 as per the agreement made heretofore between the parties to this cause or be punished for her contempt provided that a copy of this order be served upon her on or before the 24<sup>th</sup> day of August 1927

Albert S. Brown

Hattie E. Page  
1327 N. Carey St

Served on  
Hattie E. Page

Copy of the within Petition and Order of Court  
served on Hattie E. Page on the 24<sup>th</sup> day of August 1927  
in presence of Joseph J. Glendon

7000 No. 75

John E. Potter  
Sheriff

352 B  $\frac{261}{1926}$

James Herman Page  
versus  
Hattie E. Page

CIRCUIT COURT #2

*Order*

Petition & Order requiring  
defendant to show cause why  
household effects, listed herein,  
should not be returned to him.

*Copy - Conick*

Mr. Clerk:-  
Please File.

No 26729 B.  
L307

*James Huegel*  
Sol. for Plaintiff.

Id 22nd August 1927  
1374

1327 W Carey St

RECEIVED AT  
THE SHERIFFS OFFICE ON

AUG 22 1927 2 01 PM

36 B  
261

James Herman Page  
versus  
Hattie E. Page

) In the Circuit Court #2  
)  
) of  
)  
) Baltimore City.

PETITION

To the Honorable, the Judge of Said Court:-

The petition of James Herman Page, plaintiff in the above entitled cause, respectfully shows unto Your Honor, as follows:-

1. That heretofore this plaintiff obtained a divorce, a vinculo matrimonii, from the defendant, in this Honorable Court, on July 22nd., 1927.
2. That prior to the said divorce, this plaintiff purchased with his own funds, the following articles, which he had at the home of his father-in-law, in the possession of Hattie E. Page, the defendant herein.
3. That Your Petitioner asked the said Hattie E. Page to return ~~in~~ the said articles to him, which she refused to do, without any just reason therefor, and particularly for 1 davenport table, 2 end tables, 1 medicine cabinet, and 1 table lamp, all of which articles were his sole property, and were purchased with his funds alone.
4. That the said articles so belonging to this plaintiff, and in the possession of the defendant, consist of 1 bed room suite of furniture, costing \$400.00, 1 wicker chaise lounge, costing \$75.00, 1 table and ~~far~~ wicker, \$40.00, 1 lot of pictures \$12.00, 1 buffet, \$95.00, 1 gas range \$15.00 1 refrigerator \$25.00, 1 kitchen table \$8.00, 1 floor lamp \$8.00, 1 pair of lace curtains \$12.00, 4 rugs \$50.00.
5. That the cost value of said articles amounts to \$735.00, exclusive of the 4 articles aforesaid, which are worth about \$100.00 in addition thereto.
6. That it is imperative that Your Petitioner obtain a decree of this Honorable Court, to regain the said property of this plaintiff, specifically, or their value, if the defendant has fraudulently disposed of the same.
7. Wherefore Your Petitioner prays:-

1. That Your Honor direct the defendant, Hattie E. Page, to deliver the aforementioned articles, to this plaintiff, or to pay their value in cash, to him, in the event that she has disposed thereof.
2. As in duty bound, etc.,

*James Muegel*  
Solicitor for plaintiff.

Baltimore, Maryland: SS

Personally appeared before me, the undersigned, a notary public, in and for the city and state aforesaid, James Herman Page, and he made oath, that the matters and facts contained in his petition are true.

As witness my hand and notarial seal, this 20th day of July, 1927.

*J. Herman Page*  
Affiant.

*Charles H. Young*  
N. P.



James Herman Page  
versus  
Hattie E. Page

)  
)  
)  
)  
)

In the Circuit Court #2  
of  
Baltimore City.

O R D E R

The plaintiff, James Herman Page, having alleged, in the foregoing Petition, that the defendant, Hattie E. Page, had withheld from him, and upon his demand, refused to deliver to him, 1 bed room suite of furniture, 1 wicker chaise lounge, 1 table and fernery, 1 lot of pictures, 1 buffet, 1 gas range, 1 refrigerator, 1 kitchen table, 1 floor lamp, 1 pair of lace curtains, and 4 rugs, as well as 1 davenport table, 2 end tables, 1 medicine cabinet, and 1 table lamp, it is, *said articles being his sole property,* this ~~2nd~~ day of August, A.D. 1927, by the Circuit Court #2, of Baltimore City, ORDERED that the said Hattie E. Page, return the said articles to the said James Herman Page, forthwith, or show cause, on or before the 10th. day of September, A.D. 1927, why the relief prayed in the foregoing Petition should not be granted, as prayed, provided a copy of this Order be served on the said Hattie E. Page, or on her solicitors of record, in this cause, Davis and Evans, on or before the 31st. day of August, A.D. 1927.

*✓ Eugene O'Dunn*  
JUDGE.

In The Circuit Court  
No 2 of 1015  
13 1926  
Baltimore City

James Herman Page

vs

Hattie Page

Answer to petition

Mr. Deplease file

Davis & Evans

attorneys

No 26729 B.

4317

DAVIS & EVANS

ATTORNEYS AT LAW

Filed 6th September 1927

JAMES HERMAN PAGE

VS

HATTIE E. PAGE

\*  
\*  
\*  
\*  
\*  
\*  
\*

IN THE  
CIRCUIT COURT NO.2  
OF  
BALTIMORE CITY.

\*\*\*\*\*

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Respondent, Hattie E. Page answering the  
Petition of the Plaintiff respectfully says:

1. The she denies that the articles of furniture mentioned by the said Herman Page are or were the sole property of the said Herman Page.

2. She further avers that the bedroom suit<sup>PLAN</sup> was purchased on the installment<sub>2</sub> and at the time of the said separation there was a balance remaining unpaid, which balance was paid by the respondent; that the fernery mentioned by the plaintiff was partially unpaid for at the time of separation, which balance was paid by your respondent; that the buffet was not fully paid for at the time of the separation and that the unpaid balance was paid by your respondent; that the kitchen table was not fully paid for at the time of the separation and that the unpaid balance was paid by your respondent; that the floor lamp, lace curtains and rugs mentioned by the complainant were purchased jointly by your respondent's father and the complainant, to replace the same articles belonging to your respondent's father, which the complainant and his family had worn out; that the davenport table, medicine cabinet and two end tables were partially unpaid for at the time of the separation of the parties; that the balance was paid solely by your respondent; that the table lamp was given by the complainant to your respondent

as a Christmas gift, during Christmas of 1923. That the other articles mentioned were purchased ~~to~~ replace articles belonging to your respondent's father, which complainant and his family had worn out.

3. That ever since the marriage between the parties until the date of separation, the complainant lived at the home of your respondent's father, the complainant contributing <sup>about</sup> but Two dollars and fifty cents (\$2.50) weekly for the use of the house by himself and family; and that at the same time your respondent was forced to use the furniture, <sup>AND</sup> furnishings of her father; that the complainant has never made any demand upon your respondent for the aforementioned furniture during the three years of the separation, until about one month prior to the complainant filing the petition. That during the duration of the separation the complainant contributed an average of only Two (\$2.00) Dollars per week towards the support of your respondent and their minor child until he was ordered on the 21st day of May, 1926, to pay Fourteen (\$14.00) Dollars per week as alimony pendente lite; even though the complainant was earning Twenty-one Hundred Dollars (\$2100) per year.

4. That the complainant pawned certain jewelry belonging solely to your respondent and that the complainant failed to redeem said pledged jewelry, making it necessary for the respondent to redeem same as a result of monies received as a result of her own labor.

AND THE RESPONDENT PRAYS to be hence dismissed with her costs.

AS IN DUTY BOUND, etc.

*Doris Evans*  
ATTYS. FOR RESPONDENT.



Charles W. Main

152

✓

51

Cir. Ct. No. 2

261  
1925

Docket No. 35B

James H. Page

vs.

Hattie E. Page

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**MOTION FOR HEARING**

---

---

No. 26729B  
L 327

Filed 12th November 1927

Davis <sup>Miss</sup> Evans

*James A. Page*  
-----  
vs.  
*Stettin E. Page*  
-----

IN THE  
**Circuit Court No. 2**  
OF  
BALTIMORE CITY

The *Plaintiff* by *James*  
*Fluegel* Solicitor, applies to have the above entitled cause placed in the

Trial Calendar for hearing on *Petition to require*  
*defd. to return household effects.*

In conformity with the First Equity Rule.

*James Fluegel*  
Solicitor for *Plaintiff*

SERVE ON

Davis & Evans  
Solicitors

215 St Paul

Nov. 14 1924

Service admitted  
Davis & Evans

NOV 12 1927 12 08 PM

RECEIVED AT  
OFFICE ON

152

51

Circuit Court No. 2

261  
1926 B DOCKET No. 35

James H Page

vs.

Hattie E. Page

NOTICE AS TO HEARING

No. 26729A  
L337

copy = acquit

Filed 12 - November 1927

9

Copy of the within notice served on  
Davis and Evans Solicitor on the 14th  
day of November 1927 in presence of  
William S Bayer  
John S. Bayer  
Hattie E. Page

See 1075

3513  
261

James H. Page

vs.

Hattie E Page

IN THE  
Circuit Court No. 2  
-OF-  
BALTIMORE CITY

Upon application made by the Solicitor for the Plaintiff

the above entitled cause has been placed upon the Trial Calendar in accordance with the provisions

of the First Equity Rule, and the same will stand for hearing on Petition

requiring defd. to return  
household effects of plaintiff

when reached in due course on the said calendar.

JOHN PLEASANTS,

Clerk Circuit Court No. 2.

B. 26 / 1926

James Herman Page

versus

Hattie E. Page

Bill and Cross Bill of Complaint.

Circuit Court#2:

Decree of Divorce.

Mr. Clerk:-  
Please File.

James Herman Page

In the Circuit Court #2

versus

of

Hattie E. Page

Bill and Cross Bill of Complaint

Baltimore City.

.....

The above entitled cause having been heard, by the Court, the pleadings having been read and considered, and the parties having been heard, in Open Court, it is, by the Circuit Court #2, of Baltimore City, this 23rd. day of December, A.D. 1926, Adjudged, Ordered, and Decreed that the plaintiff, James Herman Page, be, and he is hereby, divorced A VINCULO MATRIMONII, from the defendant, in the original bill of complaint, Hattie E. Page, and that the Cross Bill of Complaint, filed by the said Hattie E. Page against the said James Herman Page be, and the same is hereby dismissed.

And it is hereby further Ordered that the custody of the infant child, of the parties to this suit, be awarded to Hattie E. Page, as a ward of this Court, with the right on the part of its father, James Herman Page, to have access to the said child, at all reasonable times, and with the duty cast on him to pay the sum of \_\_\_\_\_ dollars, per week, for its support, to the said Hattie E. Page, beginning from the date of this decree.

And it is further Ordered that the said James Herman Page pay the costs of these proceedings and a fee of \_\_\_\_\_ dollars to the solicitors of record of Hattie E. Page herein.