

B 261 / 1927

James H. Page

versus

Hattie E. Page #2

Circuit Court #2

Bill of Complaint.

Mr/ Clerk:-
Please File.

Charles Mann
James Muegel

Solicitor for Plaintiff.

No 28624 B.

<17

Id 8th June 1927

James H. Page
versus
Hattie E. Page

) In the Circuit Court #2
)
) of
)
) Baltimore City.

//////////

To the Honorable, the Judge of said Court:-

The bill of complaint of James H. Page, respectfully shows unto Your Honor, as follows:-

1. That the parties to this cause were married, heretofore, on the 6th. day of April, A.D. 1921, by Reverend Father *Devish* of St. Catherine's Episcopal Church, in Baltimore, Maryland.
2. That this plaintiff has been a resident of the State of Maryland, for more than two years, prior hereto.
3. That one child, Calvin H., now 5 years of age, is the off-spring of the said marriage.
4. That the defendant abandoned and deserted this plaintiff, without just cause, on or about the 5th. day of June, A.D. 1924.
5. That the said abandonment and desertion, by the defendant, of the plaintiff, was the final and deliberate act of the defendant, and that the same has continued, without interruption, for more than three years, prior hereto, and that there is now no hope of a reconciliation, between the parties to this cause.
6. Wherefore this plaintiff prays:-
 1. That he be granted a divorce, a vinculo matrimonii from the defendant, as well as that he be allowed reasonable access to the child of the parties to this cause.
 2. And for such other and further relief, as to Your Honor, in the premises, may seem meet and just.
 3. May it please Your Honor to grant the writ of subpoena to this plaintiff, directed against the defendant, Hattie E. Page, commanding her to be and appear in this Honorable Court, on some certain day to be named therein, to do, perform, and abide by, any decree that may be passed in the premises.
 4. As in duty bound, etc.,

James Fitzgerald Hains
Solicitor for Plaintiff.

P 713

Circuit Court No. 2

261
1927 B DOCKET No. 36

Page

vs.

Page (col)

1327 N. Carey St

SUBPOENA TO ANSWER BILL OF COMPLAINT

Pro

No. 28627 B.
L27

Copy - 6 paid

Filed 13 day of June 1927

James Blugel
Solicitor.

B-14

Summured and a copy of the Process left with
The defendant
(Kozlovsky)
John E. Potis
Sheriff.

Recd \$0.95

(6/11/27)

RECEIVED
THE SHERIFF

JUN 8 1927 4

EQUITY SUBPOENA

The State of Maryland

To

Hattie E. Page

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

James H. 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 *9th* day of *May*, 192 *7*
Issued the *8th* day of *June*, in the year 192 *7*

John Pleasant

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

BALTIMORE CITY.

JAMES H. PAGE

36B
261

VS.

HATTIE E. PAGE

RESPONDENT'S ANSWER.

Mr. Clerk:-

Please file.

Davis & Evans
ATTORNEYS FOR DEFENDANT.

No 28627 B.

437

DAVIS & EVANS
ATTORNEYS AT LAW

Ed 14 - June 1927

JAMES H.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 your respondent to the Bill of Complaint in the above entitled cause, respectfully says:

I.

That she admits the allegations contained in the first paragraph of the Complainant's Bill.

2.

That she admits the allegations contained in the second paragraph of the Bill of Complaint.

3.

That she admits the allegations contained in the third paragraph of the Bill of Complaint.

4.

That she neither admits nor denies the allegations contained in the fourth paragraph of the Bill of Complaint.

WHEREFORE your respondent prays that the Bill of Complaint be dismissed with cost to the plaintiff.

Davis & Evans

SOLICITORS FOR DEFENDANT

Circuit Court No. 2

261
1927

Docket 36B

James A. Page
vs.

Mattie E. Page

< Frick >

Petition for leave to take
Testimony and Order of
Court thereon

No. 28627 B.
< 4 >

Filed 30th June, 1927

L. Frick 7

36B
261

James A. Page

vs.

Hattie E. Page

IN THE
Circuit Court No. 2,
OF
BALTIMORE CITY.

**To the Honorable the Judge of the
Circuit Court No. 2 of Baltimore City:**

THE PETITION OF

James A. Page
Plaintiff

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

James P. Gortler
Solicitor for Plaintiff

ORDERED, this *30th* day of *June* 192*7*, that leave be
granted to the parties to the cause, to take testimony, as prayed, before any one of the Standing Examiners of this
Court.

James P. Gortler
X

DOCKET B . 261/1927

IN THE CIRCUIT COURT No. 2

James H. Page

vs

Hattie E. Page

DEPOSITIONS

No. 28627 B

PLAINTIFF'S COSTS

Examiner	\$.....
Copies
Notices
Sheriff
Stenographer
<hr/>	
	\$

DEFENDANT'S COSTS

Examiner	\$.....
Copies
Notices
Sheriff
Stenographer
<hr/>	
	\$

GEORGE ARNOLD FRICK, Examiner

Filed 20 day of July 1927

James H. Page

vs.

Hattie E. Page

In the Circuit Court No. 2
OF BALTIMORE CITY

The above entitled cause being at issue,

and notice having been given me by the Solicitor for the Plaintiff
of a desire to take testimony in the same, I, GEORGE ARNOLD FRICK, one
of the Standing Examiners of the Circuit Courts of Baltimore City, under and by
virtue of an order of the above named Circuit Court, passed in said cause on the
30th day of June, 19 27, met on
the 18th day of July in the year nineteen
hundred and twenty-seven, at my office, in the City of Baltimore, in the
State of Maryland, and assigned the 19th day of June
in the same year at 11.30 o'clock in the fore - noon and the
office of Mr. James Fluegel, in the City and State
aforesaid, as the time and place for such examination of witnesses in said cause;
at which last mentioned time and place I attended, due notice of such meeting
having been given, and proceeded in the presence of the Solicitor.s of the
respective parties to take the following depositions, that
is to say:

Testimony taken at the office of James Fluegel,
on Tuesday July 19, 1927 at 11.30 A.M.

Present: James Fluegel - Counsel for Plaintiff.
J. Stewart Davis - Counsel for Defendant.

Thereupon:

JAMES H. PAGE, the Plaintiff,
produced as a witness on his own behalf, being
first duly sworn, deposes and saith as follows -
that is to say -

BY THE EXAMINER: -

1 Q- Will you kindly state your name, residence
and occupation?

A- James H. Page, 627 Cumberland Street, postal
clerk.

2 Q- Are you the Plaintiff in this case?

A- Yes sir.

3 Q- How long have you known the Defendant, your
wife?

A- Oh, approximately ten years.

BY MR. FLUEGEL: -

4 Q- Now, Mr. Page, according to your Bill of
Complaint, you were married to Hattie E. Page,

James H. Page.

the Defendant, on April 6, 1921, by Reverend Father Devinish of the Episcopal Church at Division and Presstman Streets in Baltimore, Maryland, is that correct?

A- Yes sir, we were.

5 Q- Have you been a resident of the State of Maryland, and City of Baltimore for more than two years prior to the 8th day of June 1927 when you filed this Bill?

A- I have.

6 Q- How many years have you been in Baltimore, Maryland?

A- Twenty-eight - - all my life.

7 Q- Now, any children living as a result of this marriage?

A- One child.

8 Q- Calvin H., five years of age?

A- Yes.

9 Q- Where is the child now residing?

A- With his mother - 1327 North Carey Street.

10 Q- Do you want the child to continue to remain there so long as it has a good home and is properly being taken care of and until the further orders of the court?

A- I do, yes sir.

11 Q- You have agreed, with the approval of the

James H. Page.

court, to pay Six dollars a week in this case for the support of the child, is that right?

A- Yes sir.

12 Q- The Defendant has waived any claim for alimony in this case, has she not?

A- Yes sir, she has.

13 Q- Now, you have charged the Defendant with having abandoned and deserted you heretofore.

A- Yes sir, I have.

14 Q- What was the date of the abandonment?

A- June 2, 1924.

15 Q- Now, where were you living at that time?

A- 1327 North Carey Street.

16 Q- What happened there?

A- That was the home of my wife's father, and she was receiving attentions from a man named Smith over the telephone and otherwise, and I objected to that and complained that I therefore wanted to move away, and I asked her to move away with me, and she absolutely refused to do so.

17 Q- Were you ready and willing to give her a proper home elsewhere?

A- Yes sir - a proper home.

18 Q- And you say she refused to move with you elsewhere?

James H. Page.

A- Yes sir, she has refused to live or cohabit with him since that time.

19 Q- Now, you have given support to her and the child ever since, haven't you?

A- Yes sir.

20 Q- Now, was the abandonment and desertion of you by your wife in failing and refusing to live with you or cohabit with you since the 2nd day of June 1924 her final and deliberate act?

A- Yes sir, it was.

21 Q- Were you a good, faithful husband to the Defendant, Hattie E. Page?

A- I was.

22 Q- Has the abandonment and desertion of you by the Defendant, Hattie E. Page in her refusing to live or cohabit with you as a husband since the second day of June 1924 been continuous and uninterrupted for more than three years prior to the 8th day of June 1927 when you filed your bill for an absolute divorce in this case?

A- Yes sir, it has.

23 Q- Is there any hope of a reconciliation now between you and the Defendant?

A- No sir.

24 Q- Have you been living and been employed in the City of Baltimore since the second day of June

James H. Page.

1924, when your wife refused to live or cohabit with you any longer?

A- I have.

25 Q- Did Mrs. Page, the Defendant, have any just cause or reason to refuse to live or cohabit with you as her husband since the second day of June 1924?

A- No, she did not.

26 Q- What was the real trouble?

A- Well, she preferred the companionship of other men to me.

Cross Examination Waived.

QUESTION BY THE EXAMINER:

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

Answer:

No.
J. Herman Page

R. GRAFTON JOHNSON, produced as a witness on behalf of the Plaintiff, being first duly sworn, deposeseth and saith as follows - that is to say -

BY THE EXAMINER: -

1 Q- Will you kindly state your name, residence and occupation?

A- R. Grafton Johnson, 1503 Druid Hill, postal clerk.

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

A- I know them both, yes sir.

3 Q- How long have you known them?

A- About ten years or more.

BY MR. FLUEGEL: -

4 Q- Do you know whether the parties to this suit have been residents of the State of Maryland, City of Baltimore for more than two years prior to the 8th day of June 1927 when Mr. Page brought suit for an absolute divorce against his wife on the ground of her abandonment?

A- Yes sir, I have known them here for ten years.

5 Q- Now, do you know whether the parties to this suit were married and known among their friends, relatives and acquaintances as being a

R. Grafton Johnson.

married couple and whether they lived together as such and had a child as such?

A- Yes, I know that to be true.

6 Q- As far as you know, was Mr. Page, the Plaintiff, a good faithful husband to his wife?

A- Yes sir, he was.

7 Q- Have you known these parties intimately well?

A- Yes sir.

8 Q- The child, Calvin H. Page has, as far as you know, a good home for the present?

A- Yes sir, I think it has.

9 Q- And is it a proper place for the child to be, - with its mother, as far as you know, for the present?

A- Yes, as far as I know.

10 Q- Is six dollars a week a reasonable sum to be paid by the father for the support of the child?

A- Yes sir, it is.

11 Q- Now, Mr. Page has testified that his wife abandoned and deserted him by refusing to live with him since the second day of June 1924, and he left the home of his father-in-law. What do you know about that?

A- I know they were living at his father-in-law's house and that she had the attentions of other gentlemen, including a man named Smith,

R. Grafton Johnson.

which was objectionable to Mr. Page, and he asked his wife to move away elsewhere, away from the home of his father-in-law, where he could be the master of his own home and she refused to move away or live or cohabit with him any further.

12 Q- Do you know whether or not since June 2, 1924 when Mr. Page left the home of his father-in-law, whether Mrs. Page has lived or cohabited with her husband or been willing to live or cohabit with her husband?

A- She has not.

13 Q- Do you know whether she is on friendly or bitter terms with her husband?

A- She is on very bitter terms.

14 Q- As far as you know, did Mrs. Page have any just cause or reason to refuse to live or cohabit with her husband since the second day of June 1924?

A- She did not. She didn't like him, that was all. She cared for other men more than for her husband.

15 Q- Has the abandonment and desertion by Mrs. Page of her husband, Mr. Page, been continuous and uninterrupted for more than three years prior to the 8th day of June 1927 in her refusing to live or cohabit with her husband?

R. Grafton Johnson.

A- Yes sir, it has.

16 Q- Was the abandonment and desertion of Mr. Page by his wife in refusing to live or cohabit with him her final and deliberate act?

A- Yes sir, it was.

17 Q- Is there any hope of a reconciliation now between the parties to this suit?

A- None whatever.

18 Q- Then you say as far as you know Mr. Page was always ready and willing to do all that a husband in his circumstances could do for his wife?

A- Yes sir, he was.

19 Q- And you say his wife simply disliked him and didn't want to live with him since the second day of June 1924?

A- Yes sir, that's correct.

Cross Examination Waived.

QUESTION BY THE EXAMINER:

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

Answer:

No
P. Crafton Johnson

No other witnesses being named or produced before me, I then at the request of the Solicitor s. of the respective parties closed the depositions taken in said cause, and now return them closed under my hand and seal on this 20th day of

July In the year of our Lord nineteen hundred twenty-seven at the City of Baltimore, in the State of Maryland.

George Arnold Frick
Examiner. SEAL

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

Defendant's Exhibit

George Arnold Frick
Examiner.

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

George Arnold Frick
Examiner.

36B
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Circuit Court

1927

Docket _____

James H. Page

vs.
Hattie E. Page

SUBMISSION FOR DECREE.

Mr. Clerk,
Please file,

James H. Page
Solicitor for Plaintiff.

No. 28627B
6

Filed 21 July 1927

3613
261

James H Page

vs.

Hattie E Page

In the Circuit Court
of Baltimore City

TERM, 19__

To the Honorable

Robert F. Stanton

Judge of Said Court:

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

James H. Page

Solicitor for Plaintiff,

Edward H. ...

Solicitor for Defendant.

36 B
261

Circuit Court No. 2

192

DOCKET No.

James H. Page

vs.

Hattie E. Page

**Order of Reference
and Report**

Case

No.

28627 B
7-8

Order Filed *21st* day of *July* 192*7*

Report Filed *21st* day of *July* 192*7*

3675
261

James H. Page

IN THE
Circuit Court No. 2

vs.
Hattie E. Page

-OF-

BALTIMORE CITY

July TERM, 1927

This case being submitted, without argument, it is ordered by the Court, this 21st day of July, 1927, that the same be and is hereby referred to Ward B. Cox, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

✓ James P. Gorter

Report of Auditor and Master:

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

Defendant summoned and answers by solicitor.

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

The marriage proven.

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

Case made for giving the custody of the minor child of the parties to the defendant.

More than thirty days have elapsed since the filing of the bill.

Case submitted and ready for decree.

Ward B. Cox

Auditor and Master

July 21st, 1927

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

Ward B. Mc

Auditor and Master

Circuit Court No. 2

B ²⁶¹ 1927 No. 36 Docket

JAMES H. PAGE

vs.

HATTIE E. PAGE

DECREE OF DIVORCE

R.

No. *28627 B*
8

Copy 27 copies 127

Filed *22 July*, 1927

IN THE

Circuit Court No. 2,

OF

BALTIMORE CITY

JAMES H. PAGE

VS.

HATTIE E. PAGE

July

Term, 1927

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

It is thereupon, this 22nd day of July, Anno

Domini, one thousand nine hundred and - - - - - twenty-seven - - - by the CIRCUIT COURT No. 2

OF BALTIMORE CITY, Adjudged, Ordered and Decreed, that the said - - - - -

- - - - - James H. Page - - - - -

the above named complainant be, and he is hereby DIVORCED A VINCULO MATRIMONII, from the defendant, the said Hattie E. Page.

AND IT IS FURTHER ORDERED that said defendant shall have the guardianship and custody of Calvin H. Page, the minor child of the parties in the proceedings mentioned, with privilege to said complainant to see said child at all reasonable times; and that said complainant shall pay said defendant the sum of \$6.00 per week, accounting from the date of this decree, for the support of said child, until the further order of this Court.

And it is further Ordered, that the said complainant - - - - - pay the cost of this proceeding.

James P. Gorter

I, JOHN PLEASANTS, Clerk of the Circuit Court No. 2 of Baltimore City, do hereby certify that the above is a true copy of the decree taken from the record of proceedings in said cause.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the said Court, this - - - day of - - - 1927