IN THE CIRCUIT COURT OF

BALTIMORE CITY.

B 189/1928

IGNATIUS MARSHALL

VS.

MARY B. MARSHALL

B 32958

BILL FOR DIVORCE.

Mr. Clerk:

Please file.

Davis & Evans

ATTORNEYS FOR PLAINTIFF

DAVIS & EVANS
ATTORNEYS AT LAW

Fd 25th May 1928

BAUMGARTEN & CO., INC.

IGNATIUS MARSHALL	:	IN THE CIRCUIT COURT
VS.	:	OF
MARY B.MARSHALL	:	BALTIMORE CITY

TO THE HONORABLE,THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

(I) That he was married to his wife,Mary B.Marshall,on the 3rd day of March,I9I9 and with whom he resided until the IIth day of December,I923 when the defendant deserted the plaintiff.

(2) That though the conduct of your Orator toward the said Mary B.Marshall,has always been kind,affectionate and above reproach, she has,without any just cause or reason, abandoned and deserted him and has declared her intention to live with him no longer and said abandonment has continued uninterruptedly for more than three years and is deliberate and final and the separation of the parties is beyond any reasonable hope of reconciliation.

(3) That your Orator has not lived or co-habited with the said defendant since said desertion.

(4) That there are no children born as result of said marriage.

(5) That your Orator is a citizen of the State of Maryland,having resided in Baltimore City for more than three years prior to the filing of this Bill of Complaint,but that the defendant is a non-resident of the State of Maryland and when last heard of was in Washington,D.C.

TO THE END, THEREFORE, YOUR ORATOR PRAYS:

(a) That he may be divorced A Vinculo Matrimonii from the said Mary B. Marshall.

(b) That he may have such other and further relief as his case may require.

May it please your Honor to grant unto your Orator the Order of Publication directed against the said Mary B, Marshall, commanding and requiring her to be and appear in this Court on come 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.

David T Evans

ATTORNEYS FOR PLAINTIFF

DAVIS & EVANS, SOLICITORS,
215 ST. PAUL PLACE,
IN THE CIRCUIT COURT OF BALTIMORE CITY
IGNATIUS MARSHALL VS. MARY B. MARSHALL
ORDER OF PUBLICATION

The object of this bill is to procure a divorce A Vinculo Matrimonii by the plaintiff, Ignatius Marshall, from the defendant, Mary B. Marshall.

The bill recites that the parties were married on the 3rd day of March, 1919 and lived together until the 11th day of December, 1923 when the defendant deserted the plaintiff. That the plaintiff has been a resident of Baltimore City for more than three years prior to the filing of this Bill of Complaint but that the defendant is a non-resident of the State of Maryland and when last heard of was in Washington, D.C. That your Orator has behaved himself as a faithful, chaste and affectionate husband toward the said defendant, but that the said defendant deserted him without any just cause and that the separation of the parties is beyond any hope of reconciliation and that your Orator has not lived or co-habited with the said defendant since said desertion. That there are no children born as result of said marriage.

It is thereupon ordered by the Circuit Court of Baltimore City this 25 day of May 1928, that the plaintiff by causing a copy of this order to be inserted in some daily newspaper published in Baltimore City, once a week for four successive weeks before the 25 day of June 1928, give notice to the absent defendant of the object and substance of this bill, warning her to be and appear in this Court in person or by Solicitor on or before the 11 day of July 1928 to show cause, if any she may have, why a decree should not be passed as prayed.

Eli Evans

189

1928 Docket No. 368

Marshall

vs.

Marshall

Certificate of Publication

B 32958

(3)

THE DAILY RECORD

Filed 18 day of Sept 1928

THE DAILY RECORD

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

IN THE CIRCUIT COURT OF BALTIMORE CITY — (B—189—1928) — Ignatius Marshall vs. Mary B. Marshall.

ORDER OF PUBLICATION.

The object of this bill is to procure a divorce a vinculo matrimonii by the plaintiff, Ignatius Marshall, from the defendant, Mary B. Marshall.

The bill recites that the parties were married on the 3rd day of March, 1919, and lived together until the 11th day of December, 1923, when the defendant deserted the plaintiff. That the plaintiff has been a resident of Baltimore City for more than three years prior to the filing of this bill of complaint, but that the defendant is a non-resident of the State of Maryland and when last heard of was in Washington, D. C. That your orator has behaved himself as a faithful, chaste and affectionate husband toward the said defendant, but that the said defendant deserted him without any just cause and that the separation of the parties is beyond any hope of reconciliation and that your orator has not lived or cohabited with the said defendant since said desertion. That there are no children born as result of said marriage.

It is thereupon ordered by the Circuit Court of Baltimore City this 25th day of May, 1928, that the plaintiff, by causing a copy of this order to be inserted in some daily newspaper published in Baltimore City once a week for four successive weeks before the 25th day of June, 1928, give notice to the absent defendant of the object and substance of this bill, warning her to be and appear in this Court, in person or by solicitor, on or before the 11th day of July, 1928, to show cause, if any she may have, why a decree should not be passed as prayed.

ELI FRANK.

True Copy—Test:

CHAS. R. WHITEFORD,
Clerk.

my26,je2,9,16

Baltimore, June 16th, 1928

We hereby certify that the annexed advertisement of Order Publication Circuit Court ——— of Baltimore City, Case of Ignatius Marshall vs. Mary B. Marshall was published in THE DAILY RECORD, a daily newspaper published in the City of Baltimore, once in each of four successive weeks before the 25th day of June, 1928

First insertion May 26th, 1928

THE DAILY RECORD

Per C Watkins

189
1928

Ct. Ct.

Docket B 6 8

Ignatius Marshall

vs.

Mary B. Marshall

Decree Pro Confesso

Dapf

B No. 32958
47

Filed 19 Sept 1928

[Decree Pro Confesso]

Ignatius Marshall

vs.

Mary B. Marshall

IN THE

CIRCUIT COURT

OF

BALTIMORE CITY

Sept Term, 1928

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

It is thereupon this 4th day of sept in the year nineteen hundred and twenty Eight by the Circuit Court of Baltimore City, ADJUDGED, ORDERED and DECREED, that the complainant is entitled to relief in the premises, and that the bill of Complaint be and is hereby taken pro confesso against the defendant. But because it doth not certainly appear to what relief the Plaintiff is entitled, it is further *Adjudged*, and *Ordered*, that one of the Examiners of this Court, take testimony to support the allegations of the bill.

Eugene O'Dunne

Doc. 68/B 189 1928

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Ignatius Marshall

vs.

Mary B. Marshall

No. 32958 B (5)

PLAINTIFF'S COSTS

Examiners ..... $.....

Copies ....

Sheriff ....

Stenographer ....

$.....

DEFENDANT'S COSTS

Examiners ..... $.....

Copies ....

Sheriff ....

Stenographer ....

$.....

Fd 8" Oct 1928

Ignatius Marshall

vs.

Mary B. Marshall

In the Circuit Court

OF BALTIMORE CITY.

A Decree Pro Confesso having been passed in the above cause,

and notice having been given me by the Solicitor for the plaintiff of a desire to take testimony in the same, I, A. de RUSSY SAPPINGTON, one of the Standing Examiners of the Circuit Courts of Baltimore City, under and by virtue of an order of the above named Circuit Court, passed in said cause on the nineteenth day of September 19 28, met on the nineteenth day of September in the year nineteen hundred and twenty-eight at my office, in the city of Baltimore, in the State of Maryland, and assigned the nineteenth day of September in the same year at two o'clock in the after-noon and the office of the Examiner in the City and State aforesaid, as the time and place for such examination of witnesses in said cause; at which last mentioned time and place I attended, due notice of such meeting having been given, and proceeded in the presence of the Solicitor of the plaintiff to take the following depositions, that is to say:—

IGNATIUS MARSHALL	:	In the Circuit Court of
VS.	:	
MARY B. MARSHALL	:	Baltimore City.

- -

Testimony taken before me, A. deRussy Sappington, Examiner, in my offices in the Title Building, Baltimore, on September 19th, 1928, at 2;00 P. M.

Mr. George W. Evans appeared for plaintiff.

- - -

Thereupon---

IGNATIUS MARSHALL,

the plaintiff, of lawful age, produced on his own behalf, being duly sworn, testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A Ignatius Marshall, 2222 Madison Avenue, Baltimore elevator operator.

Q Do you know the parties to this suit?

A Yes, sir, I am the plaintiff and my husband is the defendant.

By Mr, Evans:

Q When, where and by whom were you married?

A On March 3rd, 1919, in Baltimore, Maryland, by the Reverend Stewart.

Q When did you and your wife separate?

A On December 11th, 1923.

Q Which one of you left the other?

A I left her, her people's house.

Q Under what circumstances?

A I couldn't get along with her mother and she interfered and my wife and I made an agreement to make a home for ourselves and after I moved and got an apartment and paid rent for it and was ready to move in, she was influenced by her mother and aunt and she refused to leave her mother's home.

Q Did you furnish the apartment?

A Yes, sir, before I paid the rent she agreed to go there with me.

Q Was the place satisfactory to her then?

A Yes, sir, it was with a friend of hers and she was satisfied with the place and then after I got everything fixed up she refused to go. I tried to pursuade her to go with me until the first of the following year and

tried to get her to come there and live with me and my mother and friends of ours went to her and tried to get her to come to me and she wouldn't.

Q Did you maintain that home there until after the first of 1924?

A Yes, sir, I kept it until June, 1924, and she wouldn't come.

Q Have you seen her since June, 1924?

A Yes, sir, half a dozen times.

Q Did you ever speak to her about living in the home you made for her?

A Yes, up until the first of 1924 her mother told me not to come there anymore, that she wouldn't let her daughter leave the house and then I saw her on two occasions and a friend of ours arranged a meeting for us and she said she would be there and she didn't show up and I saw her at dances several times and I danced with her and talked to her about it and she said she would stay with her mother.

Q Have you lived or cohabited with her since she abandoned you on December 11th, 1923?

A No, sir.

Q Do you think there is any hope of reconciliation between you?

A No, sir. I did all I could and my people and friends of ours tried to get her to come back to me and she wouldn't.

Q Were any children born as a result of the marriage?

A No, sir.

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

A Yes, sir.

Q Is your wife a resident of Maryland?

A No, sir, Washington, D. C.

Q How long has it been since you have seen her?

A Over a year now.

Q Where was she living when you last saw her?

A In Washington.

-- - - - --

GENERAL QUESTION

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

A. No

Ignatius M. Marshall

Thereupon---

THOMAS A. MARSHALL,

a witness, of lawful age, produced on behalf of the plaintiff, being duly sworn, testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A Thomas A. Marshall, 1761 Willis Street, Washington, D: C., cook.

Q Do you know the parties to this suit?

A Yes.

By Mr. Evans:

Q Are you any relation to them?

A No, sir, just friends.

Q Do you know they were married and lived together as husband and wife and were known and recognized in the community where they lived as husband and wife?

A Yes, sir.

Q When were they married?

A In the Spring of 1919.

Q Where?

A In Baltimore.

Q Do you know when they separated?

A Around the latter part of 1923.

Q Do you remember seeing the Marshalls shortly after the separation?

A Yes, sir, on several occasions and I saw him right after the separation; he came to my house.

Q Did you go to the house he prepared for his wife to live in?

A Yes, sir, just a little before Christmas, just before the separation.

Q Was there a home there that he prepared for his wife?

A Yes, sir.

Q Were you close friends of the Marshalls?

A Yes, I visited them and they visited me.

Q How did Mr. Marshall treat his wife?

A He always treated her fine.

Q Was he a kind, faithful and affectionate husband?

A Yes.

Q Did he always provide for her?

A Yes, he did all he could for her.

Q Did he give her any cause or reason for not joining him in the apartment?

A No, sir.

Q Do you know the neighborhood where the apartment was located?

A Yes, sir, its a nice neighborhood and the people there were nice.

Q Was the apartment seemingly comfortable?

A Yes, sir.

Q Was there any reason why she shouldn't live there?

A No, sir.

Q Have you seen her since the separation?

A Yes, sir, about two years ago and I also saw her right after the separation and I talked with her about it and she didn't give me much satisfaction and I asked her about going back to him and she said she wouldn't go back and I asked her why and she said she was going to stay with her people.

Q Where did they live together before the separation?

A With her mother.

Q Do you know how long he maintained the apartment he prepared for her after she refused to come there?

A Pretty close to a year.

Q Did he go there and take care of the place?

A Yes, sir, he stayed right there.

Q Were any children born as a result of the marriage?

A No.

Q Have they ever lived or cohabited together since the separation in 1923?

A No, sir.

Q Do you think there is any hope of reconciliation?

A No, sir, I don't.

Q Has Ignatius Marshall lived in Baltimore, Maryland, for more than two years last past?

A Yes, sir,

Q Is his wife a resident of Maryland?

A No, sir, Washington. Washington's her home.

- - - - - - -

GENERAL QUESTION

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

A. ---- No Thomas A Marshall

No other witnesses being named or produced before me, I then, at the request of the Solicitor.....of the.....plaintiff.....
closed the depositions taken in said cause and now return them closed under my hand and seal, on this.....eighth.....day of.....October.....
in the year of Our Lord nineteen hundred and.....twenty-eight.....at the City of Baltimore, in the State of Maryland.

Adele Sappington..... (SEAL).
Examiner.

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

Adele Sappington.....
Examiner.

I, A. de RUSSY SAPPINGTON, the Examiner before whom the foregoing depositions were taken, do hereby certify that I was employed in assigning a day, and taking the said depositions upon.....two.....days, on.....both.....
of which I was employed by the Plaintiff....., and on.....none.....
by the Defendant.....

Adele Sappington.....
Examiner.

Circuit Court

189
1928 Docket No. 368

Ignatius Marshall

vs.

Mary B. Marshall

Order of Reference and Report

Spous

B No. 32958
(6)

Order Filed 8 day of Oct 1928

Report Filed 6" day of April 1929

Ignatius Marshall

vs.

Mary B Marshall

IN THE

Circuit Court

OF

BALTIMORE CITY

~~Sept~~ Term, 1928

This case being submitted, without argument, it is ordered by the Court, this 8" day of October, 1928, that the same be and it is hereby referred to Wm. P Lyons, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Laurence A Duncan

Report of Auditor and Master

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

Defendant proceeded against as a non-resident and her non-residence proved.

Plaintiff's residence in Baltimore City for more than two years prior to the filing of the bill proved.

The marriage proved.

Abandonment uninterruptedly for three years, its finality and the irreconcilability of the parties proved.

Decree pro confesso was passed against the defendant and more than thirty days have since elapsed.

Case ready for decree.

William P Lyons
Auditor and Master.

October 20, 1928.

1

CIRCUIT COURT

B-189
1928 No. Docket

IGNATIUS MARSHALL

VS.

MARY B. MARSHALL

Recorded
Folio 90 1929

Decree of Divorce

B No. B32958
27

Fd 16 April 1929

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

William P. Lyons
Auditor and Master

DECREE OF DIVORCE

IN THE

IGNATIUS MARSHALL

VS.

MARY B. MARSHALL

Circuit Court

OF

BALTIMORE CITY

March Term, 1929

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

It is thereupon, this 16th day of April, A. D. 1929 by the Circuit Court of Baltimore City, **Adjudged, Ordered and Decreed,** that the said - - - - - - IGNATIUS MARSHALL - the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, MARY B. MARSHALL.

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

Duncan Wood