

THE CIRCUIT COURT OF
BALTIMORE CITY

B-370
1928

JOHN McDOWELL

VS.

GOSSIE McDOWELL

BILL FOR DIVORCE.

B 33291

Mr. Clerk:-

(1/2)

Please file.

Steward Davis
ATTORNEY FOR PLAINTIFF

DAVIS & EVANS
ATTORNEYS AT LAW

FD 5 Oct 1928

JOHN McDOWELL

:

IN THE CIRCUIT COURT

VS.

:

OF

GOSSIE McDOWELL

:

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully says:

- (1) That he was married to his wife, Gossie McDowell on the 15th day of February 1926 and with whom he resided until the 20th day of September, 1927.
- (2) That ever since said marriage your Orator has behaved himself as a faithful, chaste and affectionate husband toward the said Gossie McDowell.
- (3) That the said Gossie McDowell has on divers days and times since said marriage, committed the crime of adultery with divers, lewd and abandoned men, whose names are unknown to your Orator and said offense has not been condoned by your Orator.
- (4) That your Orator has not lived or co-habited with the said defendant since he discovered her said adulteries.
- (5) That there are no children born as result of said marriage.
- (6) 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 from was in Asheville, North Carolina.

TO THE END, THEREFORE, YOUR ORATOR PRAYS:

(a) That he may be divorced A Vinculo Matrimonii from the said Gossie McDowell.

(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 Gossie McDowell, commanding and requiring her 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.

J. Stewart Daves

ATTORNEY FOR PLAINTIFF

DAVIS & EVANS, SOLICITORS,
215 ST. PAUL PLACE,
IN THE CIRCUIT COURT OF BALTIMORE CITY
JOHN McDOWELL VS. GOSSIE McDOWELL
ORDER OF PUBLICATION

The object of this bill is to procure a divorce A Vinculo Matrimonii by the plaintiff, John McDowell from the defendant, Gossie McDowell.

The bill recites that the parties were married on the 15th day of February, 1926 and lived together until the 20th day of September, 1927. That your Orator has behaved himself as a faithful, chaste and affectionate husband toward the said defendant and that the defendant has on divers days and times since said marriage committed the crime of adultery with divers, lewd and abandoned men, whose names are unknown to your Orator. That your Orator has not lived or co-habited with the said defendant since he discovered her said adulteries; that there are no children born as result of said marriage; 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 Ashville, North Carolina.

It is thereupon ordered by the Circuit Court of Baltimore City this 5th day of *October* 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 5th day of *November* 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 21st day of *November* 1928 to show cause, if any she may have why a decree should not be passed as prayed.

Eugene D. Dunning

1928 *B* Docket No. *370*
1928

McDowell

vs.

McDowell

Certificate of Publication

B 33291
(3)

THE DAILY RECORD
Filed *14* day of *March* 192*9*

THE DAILY RECORD

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

IN THE CIRCUIT COURT OF BALTIMORE CITY—(B—370—1928)—John McDowell vs. Gossie McDowell.

ORDER OF PUBLICATION.

The object of this bill is to procure a divorce a vinculo matrimonii by the plaintiff, John McDowell, from the defendant, Gossie McDowell.

The bill recites that the parties were married on the 15th day of February, 1926, and lived together until the 20th day of September, 1927; that your orator has behaved himself as a faithful, chaste and affectionate husband toward the said defendant and that the defendant has on divers days and times since said marriage committed the crime of adultery with divers lewd and abandoned men, whose names are unknown to your orator. That your orator has not lived nor cohabited with the said defendant since he discovered her said adulteries; that there are no children born as result of said marriage; 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 Ashville, North Carolina.

It is thereupon ordered, by the Circuit Court of Baltimore City, this 5th day of October, 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 5th day of November, 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 21st day of November, 1928, to show cause, if any she may have, why a decree should not be passed as prayed.

EUGENE O'DUNNE.

True Copy—Test:

CHAS. R. WHITEFORD,

06,13,20,27

Clerk.

Baltimore, *Oct 27th*, 1928.

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

of Baltimore City, Case of

John McDowell
Gossie McDowell

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

four successive weeks before the *5th* day of *November*, 1928.

First insertion *October 6th*, 1928.

THE DAILY RECORD

Per *C. Watkins*

370-1928

B370

Ct. Ct.

1928

Docket

John McDowell

vs.

Gessie McDowell

Decree Pro Confesso

App

B No. 33291
[4]

Filed 14 March 1929

[Decree Pro Confesso]

John Mc Donnell

vs.

Jessie Mc Donnell

IN THE
CIRCUIT COURT
OF
BALTIMORE CITY

Term, 192

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 14th day of March, in the year nineteen hundred and twenty two, 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.

The testimony taken Nov. 26, 1928 is considered true pro tunc as of this date

W. H. King

Doc. 68/9 370
1928

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

John McDowell
vs.
Gossie McDowell

No. 33291 B
(57)

PLAINTIFF'S COSTS

Examiners \$
Copies
Sheriff
Stenographer
\$ _____

DEFENDANT'S COSTS

Examiners \$
Copies
Sheriff
Stenographer
\$ _____

Ad 11 April 1929

.....
JOHN MCDOWELL.....

vs.

GOSSIE MCDOWELL.....
.....

In the Circuit Court.....

OF BALTIMORE CITY.

A decree pro confesso having been issued 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
fourteenth (Nunc pro tunc) day of March 19 29, met on
the Twenty-sixth day of November in the year nineteen
hundred and twenty-eight at my office, in the city of Baltimore, in the State
of Maryland, and assigned the Twenty-sixth day of November
in the same year at 1:30 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:—

:
 JOHN McDOWELL : In the Circuit Court of
 vs. :
 GOSSIE McDOWELL : Baltimore City.

Testimony taken before me, A. deRussy Sappington,
 Examiner, in my offices in the Title Building, Baltimore,
 on November 26th, 1928, at 1:30 P. M.

Mr. J. Steward Davis appeared for plaintiff.

Thereupon---

JOHN McDOWELL,

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 John McDowell, 2506 McCulloh Street, Baltimore,
 bellman.

Q Do you know the parties to this suit?

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

By Mr. Davis:

Q When, where and by whom were you married?

A On February 15th, 1926, in Asheville, North Carolina, by a Minister of the Gospel.

Q You and your wife lived together where?

A In Asheville, New York and Baltimore.

Q When did you separate?

A On September 20th, 1927.

Q Which one of you left the other?

A She left me.

Q How did you treat your wife?

A I treated her fine.

Q Did you support her?

A Yes, sir.

Q Were you kind and faithful and affectionate towards her?

A Yes, sir.

Q Did you give her any cause or reason to leave you or be unfaithful to you?

A No, sir.

Q You state in your bill that your wife has been guilty of adultery. Tell what you know about that?

4

A At times she went out and stayed all night and I decided to watch her and then I saw her go into a house that has the reputation of being a bed house.

Q Do you mean a house where a man and woman can rent a room for immoral purposes?

A Yes, sir.

Q Where was that house?

A 1534 New Jersey Avenue, Washington, D. C.

Q Did she go into the house with anyone?

A Yes, sir, she went in with a man.

Q Did you know him?

A No, sir.

Q Did you watch the house?

A Yes, sir, my brother and I did.

Q How long did you watch the house?

A About an hour or an hour and a half.

Q Did she come out during that time?

A No.

Q Did you tell her about seeing her?

A Yes, sir, and she didn't deny it.

Q What did she do then?

A She left.

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.

Q Where was she living when you last heard of her?

A In Asheville, North Carolina.

Q Have you ever lived or cohabited with your wife since you discovered her adulteries?

A No, sir.

Q Have you forgiven or condoned her offense in anyway?

A No, sir.

- - - - -

GENERAL QUESTION

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

A.

No

John M. Daniels

Thereupon---

DAVID K. McDOWELL,

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 David K. McDowell, 727 Irving Place, Northwest, Washington, D. C., hotel employe.

Q Do you know the parties to this suit?

A Yes, sir, John McDowell is my brother.

By Mr. Davis:

Q You know your brother and his wife were married and lived together as husband and wife and held themselves out in the community where they lived as husband and wife?

A Yes, sir.

Q He states his wife left him about September 20th, 1927. Is that correct?

A Yes, sir.

Q Did he give his wife any cause or reason to leave him?

A No, sir.

Q Did you visit them from time to time?

A Yes, sir.

Q How did he treat his wife?

A He was good to her.

Q Did he support her?

A Yes, sir.

Q Was he kind, faithful and affectionate and treat her like a husband should?

A Yes, sir.

Q Did he give her any cause or reason to leave him or be unfaithful to him?

A No, sir.

Q Your brother states you were in company with him on September 20th, 1927, when he saw his wife enter a house in Washington. Is that right?

A Yes, sir.

Q What address was that house?

A 1534 New Jersey Avenue, Washington, D. C.

Q What is the reputation of the house?

A It has the reputation of being a bad house.

Q Was she with anyone when she went in that house?

A Yes, with a man.

Q Did you remain outside and watch the house for sometime?

A Yes, sir, we stayed there for over an hour.

Q Did she come out during that time?

A No, sir.

Q Has your brother ever lived or cohabited with his wife since discovering that adultery?

A No, sir.

Q Has he forgiven or condoned her offense in anyway?

A No, sir.

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

A Yes, sir.

Q Is his wife a resident of Maryland?

A No, sir.

Q Where was she when you last heard of her?

A In Asheville, North Carolina.

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
Dwight M. Deuell

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.....eleventh.....day of.....April..... in the year of Our Lord nineteen hundred and.....twenty-nine.....at the City of Baltimore, in the State of Maryland.

A. de Russey Sappington (SEAL).
Examiner.

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

Defendant's..... Exhibit

A. de Russey Sappington
Examiner.

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

A. de Russey Sappington
Examiner.

Circuit Court

370
19 28 *

Docket No. 68B

John McDowell

vs.

Gessie McDowell.

**Order of Reference
and Report**

Lyon.

B No. 33291
(6)

Order Filed 11 day of April 19 29

Report Filed 24 day of April 19 29

John McDowell

vs.

Gossie McDowell

IN THE
Circuit Court
OF
BALTIMORE CITY

March---- Term, 1929.

This case being submitted, without argument, it is ordered by the Court, this 11th
day of April, 1929, that the same be and it is hereby referred to
William P. Lyons---, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

W. P. Lyons

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the husband against
his wife on the ground of adultery. 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.

Adultery 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.

April 22, 1929.

11
CIRCUIT COURT

B - 370
1928 No. Docket

JOHN McDOWELL

VS.

GOSSIE McDOWELL

Recorded

Folio 99 1929

Decree of Divorce

B No. 33,291
(7)

Ed 24 April 1929

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

William P. Lyons
Auditor and Master.

Circuit Court

OF

BALTIMORE CITY

JOHN McDOWELL

VS.

GOSSIE McDOWELL

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 24th day of April, A. D. 1929 by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said JOHN McDOWELL, the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, GOSSIE McDOWELL.

And it is further Ordered, That the said Complainant, JOHN McDOWELL, pay the cost of this proceeding.

D. W. Long