

No. 23494

Julius C. Bowley

vs

C. Hampson Jones et al

Circuit Court

IN THE
IN THE CIRCUIT COURT
OF
BALTIMORE CITY.

JULIUS GUY BOWLEY

VS

MAMIE JOYNES

AN INFANT

C. HAMPSON JONES,
COMMISSIONER OF HEALTH

PETITIONER FOR INJUNCTION

Mr. Clerk:

Please file,

J. Steward Davis,

Attorney for Plaintiff

JULIUS C. BOWLEY	:	
	:	
VS.	:	IN THE CIRCUIT COURT
MAMIE JOYNES	:	
(an infant)	:	
	:	OF
&	:	
C. HAMPSON JONES	:	BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

FIRST, Your orator complaining respectfully says that on the 11th day of April, 1920, the defendant gave birth to an illegitimate male child.

SECOND, That on this 18th day of June 1920, before his Honor Judge Bond, sitting in the criminal Court part one, without a jury, your orator was found not guilty of bastardy; said charge of bastardy having been entered by the defendant. The said defendant claiming that your orator was the father of the aforementioned male, illegitimate child born to the said defendant April 11th, 1920.

THIRD, That upon certifying the birth of the aforementioned illegitimate male child to the City Health Department, per the regulations of said Department of Health; the said defendant gave the name of the aforementioned illegitimate male as "Julius Guy Bowley Jr.": and that the records of the said department still so state that the name of the aforementioned illegitimate male child of the defendant is Julius Guy Bowley JR.

FOURTH, That the defendant has conferred upon the aforementioned illegitimate male child, the name of Julius Guy Bowley Jr., and that the child is referred to by the defendant and others as Julius Guy Bowley Jr., and that the defendant continues to so refer to the aforementioned illegitimate male child as Julius Guy Bowley Jr.

FIFTH, That the defendant has publicly stated upon frequent occasions, which occasions were subsequent to your orator's acquittal of the aforementioned charge of bastardy. That your orator is the father of the aforementioned illegitimate male child.

SIXTH, That the defendant's surname is not Bowley and that she has never been so known as Bowley, but that her name is and always has been Joynes.

SEVENTH, That your orator's name is Julius Guy Bowley.

EIGHTH, That your orator is not the father of the aforementioned illegitimate male child.

NINTH, That your orator is a practicing physician in the City of Baltimore, residing at # 908 S. Sharp Street; and that your orator is married, having a child of his own aged about twenty three months; that the successful practice of your orator's professional is dependent upon your orator's reputation for morality in the community; that the domestic tranquility of your orator's home is also dependant also upon the consideration of your orator's morals by the public.

TENTH, Unless this Honorable Court intervenes to prevent the defendant from continuing to use the name of your orator in referring to the aforementioned illegitimate child, grave consequences of an extremely ruinous nature will result in so far as your orators present and future professionals and personal reputations are concerned; and that if the defendant is not enjoined, at this time, from so referring to the aforementioned illegitimate

child as Julius Guy Bowley Jr., your orator will be unable in the future to disprove the paternity of the aforementioned illegitimate child. That if the records of the City Health Department are not changed so that the name of the aforementioned illegitimate child does not read "Julius Guy Bowley Jr" as it now reads, your orator will again be without redress to deny the inferred allegation of paternity as continued therein, wherefore irreparable injury will be done the Plaintiff.

ELEVENTH, That your orator has no adequate remedy at law and that a multiplicity of suits will result from the Defendant's continuing to name aforesaid infant "Bowley".

WHEREFORE YOUR ORATOR PRAYS:

A - That your Honorable Court direct a writ of injunction or a restraining order permanently enjoining and restraining the defendant Mamie Joynes from conferring the name of "Julius Guy Bowley Jr" upon the illegitimate male child born to the defendant April 11, 1920; and from publicity or otherwise stating that your orator is the father of the aforementioned illegitimate male child; and from further using the name of "Bowley" as the surname of said child, and that your Honorable Court will issue an injunction, ordering the defendant C. Hampson Jones (Commissioner of Health for Baltimore City) from continuing in the records of his department, the name of "Julius Guy Bowley Jr" as the name of the aforementioned illegitimate male child and that your Honorable Court will further order the said defendant C. Hampson Jones (Commissioner of Health for Baltimore City) to change the name to read "Joyne", which is the name of the defendant.

May it please your Honor to grant unto your orator
a writ of subpoena directed unto the defendant Mamie Joynes and
C. Hampson Jones (Commissioner of Health for Baltimore City)
commanding them to be and appear in this Honorable Court on some
day certain to be named therein, to answer such decree as may be
passed therein.

(signed) J. Steward Davis.
Attorney for Plaintiff.

STATE OF MARYLAND
CITY OF BALTIMORE

TO WIT:

I HEREBY CERTIFY That on this day of
August 1921, before me, the subscriber, a Notary Public in and for
Baltimore City, State of Maryland, personally appeared Julius Guy
Bowley, the complainant in the foregoing Bill and made oath in due
form of law that the matter contained in the same was true to the
best of his knowledge and belief.

(signed) Caroline Murray.
NOTARY PUBLIC

CITY SOLICITOR'S OFFICE

JULIUS C. BOWLEY :
VS. :
MAMIE JOYNES : IN THE CIRCUIT COURT
(an infant) :
& : OF
C. HAMPSON JONES : BALTIMORE CITY.

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CITY SOLICITOR'S OFFICE

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COPY

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CITY SOLICITOR'S OFFICE

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CITY SOLICITOR'S OFFICE

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(signed) J. Steward Davis.
Attorney for Plaintiff.

STATE OF MARYLAND

TO WIT:

CITY OF BALTIMORE

COPY
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Bowley, the complainant in the foregoing Bill and made oath in due
form of law that the matter contained in the same was true to the
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(signed) Caroline Murray.
NOTARY PUBLIC

Ct. Ct.

192

Docket No.

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

Filed 192

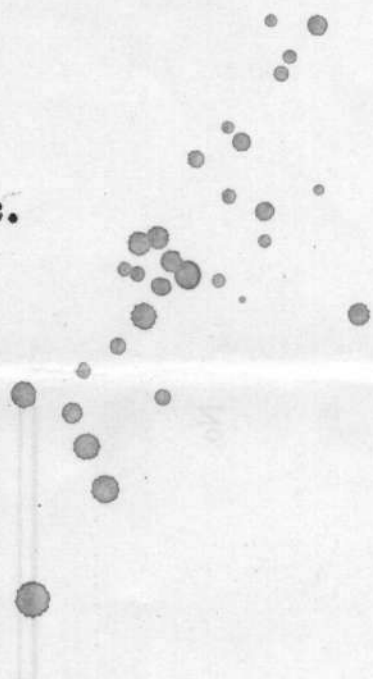
SOLICITOR

EQUITY SUBPOENA

The State of Maryland

On Mamie Joynes
an infant

C. Hampson Jones
Commissioner of Health &c.



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 **August** next cause an appearance to be entered for you and your answer to be filed to the complaint of **Julius C. Bowley**

against you exhibited in the Circuit Court of Baltimore City, HEREOF fail not, as you will answer the contrary at your peril:

WITNESS, the Honorable MORRIS A. SOPER, Chief Judge of the Supreme Bench of Baltimore City, the **11"** day of **July** 192 **1.**

Issued the **5"** day of **Aug.** in the year 192 **1.**

Clerk.

MEMORANDUM: You are required to file your answer or other defense in the Clerk's Office, room 206, in the Court House, Baltimore City, within fifteen days after return day.

(General Equity Rules 11.)



EXECUTIVE OFFICE

C. HAMPSON JONES, M. D.
COMMISSIONER AND REGISTRAR, V. S.

J. FREDERICK HEMPEL, M. D.
ASSISTANT COMMISSIONER

REED GAITHER,
SECRETARY

HEALTH DEPARTMENT

August 8, 1921.

Mr. Roland R. Marchant,
City Solicitor,
Law Department, City.

Dear Mr. Marchant:-

On Saturday afternoon late the enclosed subpoena was served on me on the complaint of Julius C. Bowley issued by Charles R. Whiteford, clerk. I do not know what this case is and send it over to you for any information or instruction for action that you may give me.

Yours respectfully,

C. Hampson Jones
Commissioner of Health.

GHJ/M

ROLAND R. MARCHANT.
CITY SOLICITOR.
ALLEN A. DAVIS,
DEPUTY CITY SOLICITOR
FRANK DRISCOLL,
A. WALTER KRAUS,
HORTON S. SMITH,
ASSISTANT CITY SOLICITORS.

Department of Law

Henry W. Weeks, Clerk
Court House
Baltimore, Md.

EDWARD F. JOHNSON.
GEORGE ECKHARDT, JR.
SIMON E. SOBELOFF,
ALFONSO VON WYSZECKI
ASSISTANT CITY SOLICITORS
WM. B. HENKEL,
GENERAL INVESTIGATOR

IN REPLY REFER TO FILE NO. _____

August 9th, 1921.

Mr. George Eckhardt, Jr.,
Assistant City Solicitor,
Court House, City.

Dear Sir:--

I hand you herewith a copy of the Bill of
Complaint in the case of Julius G. Bowley, Vs., C. Hampson
Jones, et al., in the Circuit Court. Please note that the
writ in this case is returnable to the second Monday of
August 1921.

Please take charge of this case and interpose the
proper defense in behalf of the Commissioner of Health.

Very truly yours,

Roland R. Marchant
Assistant City Solicitor.

HWW-MTH.
Encl.

384
copy.

Ct. Ct.

192

No.

Docket

vs.

NOTICE OF HEARING

No.

No.

Filed day of 192

29494

433

JULIUS C. BOULEY

IN THE

CIRCUIT COURT

VS

OF BALTIMORE CITY

HAMIE JOYNER (IN INFANT)

C. HAMPSON JONES

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 Demurror

when reached in due course on said Calendar.

CHARLES R. WHITEFORD

Clerk Circuit Court

This foregoing demurrer is not founded
upon any delaying procedure in the
entire cause.

T. one of respondents in above
entire cause by R.R.M. City Solicitor
demurs to the complaint brought on
this lawsuit, by exhibiting for the following
reasons:-

- 1 - To be in violation of equity
- 2 - To fail to set forth just
statements of facts or issues raised above
Complaint to equitate relief against
this respondent
- 3 - Because of the number of
multiplicity in that it contains
different persons as defendants who
have no privity of with each other -
and because the same contains several
distinct matters which have no connection
with each other
- 4 - Because of misjoinder of parties
- 5 - And for such other and further
reasons as may be assigned at
hearing of this demurrer -
And as in and to law -

CITY SOLICITOR'S OFFICE

new

JULIUS C. BOWLEY	:	
	:	
VS.	:	IN THE CIRCUIT COURT
	:	
MAMIE JOYNES	:	OF
(an infant)	:	
	:	BALTIMORE CITY.
&	:	
C. HAMPSON JONES	:	

C. Hampson Jones one of the respondents in the above entitled cause by Roland R. Marchant, Solicitor, demurs to the Bill of Complaint heretofore filed in this Honorable Court, exhibited for the following reasons:-

1. That the said Bill is without equity.
2. That the said Bill fails to set forth such a statement of facts as would entitle the above complainant to equitable relief against this respondent.
3. Because said Bill of Complaint is multifarious, in that it embraces different persons as defendants who have no privity with each other, and because said Bill contains several distinct matters which have no connection with each other.
4. Because of the mis-joinder of the parties.
5. And for such other and further reasons as may be assigned at the hearing of this demurrer.

And as in duty bound.

Attorney for C. Hampson Jones.

CITY SOLICITOR'S OFFICE

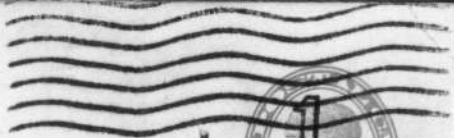
STATE OF MARYLAND,
 TO WIT:
CITY OF BALTIMORE,

I HEREBY CERTIFY That on this day of
August, nineteen hundred and twenty-one, before me, the subscriber,
a Notary Public in and for Baltimore City, State of Maryland,
personally appeared C. Hampson Jones and made oath in due form of
law that the foregoing demurrer is not filed for the purpose of
delaying the proceedings in the above entitled case.

Notary Public.

COPY

Mrs. E. Marchant



THIS SIDE OF CARD IS FOR ADDRESS

*R. R. Marchant 9
Courthouse
City*



No. 305

29494

21
21

Blum

CIRCUIT COURT

of Baltimore City

Bowley

vs.

Joyner

To _____

The above case in which you appear as solicitor, is in the preliminary call on March 3 at 10⁰⁰ M.

CHARLES R. WHITEFORD,

Clerk.