

IN THE CIRCUIT COURT OF

BALTIMORE CITY

B 124
1927

WILLIAM T. BARNETT

VS.

ALICE BARNETT
530 Memuchen St.

BILL FOR DIVORCE.

B 31601

Mr. Clerk:-

(1)
Please file.

Sept 5

Davis & Evans

ATTORNEYS FOR PLAINTIFF

DAVIS & EVANS
ATTORNEYS AT LAW

Filed 9 Mch 1927

WILLIAM T. BARNETT

:

IN THE CIRCUIT COURT

VS.

:

OF

ALICE BARNETT

:

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

1. That he was married to his wife, Alice Barnett on the 15th day of February, 1904 and with whom he resided until the 8th day of October, 1908 when the defendant deserted the plaintiff.
2. That though the conduct of your Orator toward the said Alice Barnett, has always been kind, affectionate and above reproach, she has, without any just cause or reason, abandoned and deserted him and has declared her intentions to live with him no longer, and that such 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 both your Orator and the defendant are citizens of the State of Maryland, having resided in Baltimore City for more than three years prior to the filing of this Bill of Complaint.

TO THE END, THEREFORE, YOUR ORATOR PRAYS:

- (a) That he may be divorced A Vinculo Matrimonii from the said Alice Barnett.
- (b) That he may have such other and further relief as his case may require.

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11

May it please your Honor to grant unto your Orator the Writ of Subpoena directed against the said Alice Barnett, 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.


ATTORNEYS FOR PLAINTIFF

RECEIVED AT THE SHERIFFS OFFICE

MAR 10 1927 8 11 AM

872

Ct. Ct.

B-124
1927 Docket No.

William T. Barnett

vs.

Alice Barnett

520 MacMacken St
SUBPOENA TO ANSWER BILL OF COMPLAINT

No. B-31601

(2)

Filed 14th Mech, 1927

Davis & Evans SOLICITOR

11

Summoned and a copy of Process left with
the Defendant
(by cut) John E. Potter
3/10/27 Dec 10.80 Sheriff

EQUITY SUBPOENA

The State of Maryland

To Alice Barnett

520 McMechen Street

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 March next cause an appearance to be entered for you and your answer to be filed to the complaint of

William T, Barnett

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 JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore City, the 10th day of January 192 7 Issued the 9th day of March, in the year 192 7.

Charles R Whiteford

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)

67B

Ct. Ct.

1927

Docket 124

William Barnett

vs.

Alice Barnett

Decree Pro Confesso.

B No. 31601

137

Filed

4th Aug

1927

William Barnett

vs.

Alice Barnett

IN THE
Circuit Court
OF
BALTIMORE CITY.

July Term, 1927

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 14 day of August in the year nineteen hundred and twenty seven 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. This order to take effect

Mime Pro Tunc as of March 19, 1927

Charles F. Stein

124
Circuit Court

119

Docket No. _____

William Barnett

vs.

Alice Barnett

**Order of Reference
and Report**

Lyzers

B No. 31601

(5)

Order Filed 5th day of Aug 19 27
Report Filed _____ day of _____ 19 _____

William Barnett

vs.

Alice Barnett

IN THE

Circuit Court

OF

BALTIMORE CITY

July

Term, 1927

5"

This case being submitted, without argument, it is ordered by the Court, this

day of

1927

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.

Charles H. ...

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 summoned but failed to answer.

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.

August 19, 1927.

1 ✓
CIRCUIT COURT

B-124
1927 No. Docket

WILLIAM T. BARNETT

VS.

ALICE BARNETT

Recorded

Folio 24/1927

Decree of Divorce

B No. 31601
26

fd 23 Aug 1927

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

William P. Lyons
Auditor and Master

IN THE

Circuit Court

OF

BALTIMORE CITY,

.....WILLIAM T. BARNETT.....

VS.

.....ALICE BARNETT.....

July Term, 192*7*

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

It is thereupon, this *23rd* day of *August*, A. D. 192*7*.

by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said - - - - -
WILLIAM T. BARNETT - - - - -

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the
Defendant, ALICE BARNETT.

And it is Further Ordered, That the said Complainant, WILLIAM T. BARNETT pay the cost of this proceeding.

Lucyene O'Dunne

Doc. 67 ¹²⁴ / 31927

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

William T. Barnett

vs.

alice Barnett

No. 31601 B

PLAINTIFF'S COSTS

Examiners \$

Copies

Sheriff

Stenographer

\$ _____

DEFENDANT'S COSTS

Examiners \$

Copies

Sheriff

Stenographer

\$ _____

Td. 5th Aug 1927

3/19/33

William T. Barnett

vs.

Alice Barnett

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 fourth (nunc pro tunc) day of August 1927, met on the nineteenth day of May in the year nineteen hundred and twenty-seven at my office, in the city of Baltimore, in the State of Maryland, and assigned the twentieth day of May in the same year at one o'clock in the afternoon and the office of Messrs. Davis & Evans 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:—

WILLIAM T. BARNETT	:	In the Circuit Court of
	:	
VS.	:	Baltimore City.
	:	
ALICE BARNETT	:	

Testimony taken before me, A. deRussy Sappington, Examiner, in the office of Messrs. Davis & Evans, in Baltimore, on May 20, 1927, at 1:00 P. M.

Mr. J. Steward Davis appeared for plaintiff.

- - - -

Thereupon---

WILLIAM T. BARNETT,
the plaintiff, of lawful age, produced on his own behalf, after having been first duly sworn according to law, was examined and testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A William T. Barnett, 1340 Argyle Avenue, waiter.

Q Do you know the parties to this suit?

A Yes, 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 15, 1904, in Baltimore City, by the Rev. Holmes.

Q And you lived together until when?

A October 8, 1908.

Q Which one of you left the other?

A I left her.

Q Why?

A We just couldn't get along.

Q What would she do?

A She wouldn't have my meals ready and quarreled and wouldn't take care of me.

Q Did you ask her to?

A Yes.

Q How often?

A A dozen or more times. I stayed with her four years and stood for it all that time.

Q How did you treat her?

A I treated her very nice.

Q Did you support her?

A Yes, we were housekeeping. We had a house and everything.

Q Were you a kind, faithful and affectionate husband to her?

A Yes.

Q Did you give her any cause or reason to be quarrelsome or refuse to deport herself as a wife?

A It was just about her company. She used to go around and go out and have a good time, but I didn't see anything to it.

Q Did she drink and that sort of thing?

A Yes, and sometimes she wasn't even home to get my meals.

Q Did she appear to have been drinking when she came in?

A Yes, sometimes.

Q Has this abandonment and desertion continued uninterruptedly for more than three years prior to the filing of this Bill?

A Yes, since 1908.

Q Is it deliberate and final?

A Yes.

Q Is there any hope of a reconciliation?

A No, sir.

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

A Yes, all my life.

Q Is your wife a resident of Maryland?

A She was born and raised here and lived here all her life.

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

A No, sir.

Q Have you seen your wife since the separation?

A. A number of times; shortly after the separation in 1908 and many times since then and at each time I asked her to return she refused and said she did not care to live with me any more at all

W.P.
A.M.

W. J. Bennett

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
William J Barnett

Thereupon---

FRANK CARROLL,

a witness, of lawful age, produced on behalf of the plaintiff, after having been first duly sworn according to law, was examined and testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A Frank Carroll, 614 Hoffman Street, waiter.

Q Do you know the parties to this suit?

A Yes, sir.

By Mr. Davis:

Q Do you know they were married and lived together at one time as husband and wife and held themselves out as such?

A Yes.

Q When did the separation occur?

A October 8, 1908.

Q How did he treat his wife?

took
A He-good care of his wife and home and supported

her and made things happy as far as I could see.

Q Was he a kind, faithful and affectionate husband?

A Yes, sir.

Q Did he give her any cause to mistreat him?

A No, sir.

Q He says she was indifferent about the meals.

Is that correct?

A Yes, I have seen that and she was disagreeable, I don't know what caused it.

Q Was that more than once?

A Yes, sir, several times.

Q He states she liked to go around and have parties instead of staying home and taking care of the house. Is that right?

A Yes.

Q Did she drink?

A Yes.

Q He states she wouldn't have his meals ready, is that right?

A That is right.

Q Has the abandonment and desertion continued uninterruptedly for more than three years prior to the filing of this Bill?

A Yes, sir.

Q Is there any hope of a reconciliation?

A No, sir.

Q Is it deliberate and final?

A Yes.

Q Have both parties been residents of the City of Baltimore, State of Maryland, for more than two years prior to the filing of this Bill?

A Yes, sir.

Q Were any children born to them as a result of this marriage?

A No, sir.

Q Have you seen the defendant since the separation of the parties in 1908.

A Yes shortly thereafter and a number of times since and on practically every occasion she said she did not care to live with the plaintiff any more.

MRS.
A. M.
Frank
his
Maud
Carroll

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 Frank K. Carroll

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.....*fifth*..... day of.....*August*..... in the year of Our Lord nineteen hundred and.....*twenty-seven*..... at the City of Baltimore, in the State of Maryland:

A. de Russy Sappington (SEAL)
Examiner.

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

Defendant's..... Exhibit.....

A. de Russy 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 Russy Sappington
Examiner.