

In The Circuit Court
of Baltimore City
No. 555

Blanche Smith

vs

William Smith

Petition for Joinder of Parties

(Clerk please file)

(H. J. Davis)

B 23074
517

DAVIS & BISHOP
ATTORNEYS AT LAW

BANNER BUILDING

14 E. PLASANT STREET
BALTIMORE, MD.

Oct 20 1921

BLANCHE V. SMITH

IN THE CIRCUIT COURT

VS

OF

WILLIAM A. SMITH

BALTIMORE CITY.

.....

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your oratrix complaining respectfully says:-

FIRST, That the parties hereto were married on or about December 20, 1905, by Rev. Lilly a Methodist minister in Baltimore City, State of Maryland and lived together as man and wife until on or about August 15, 1910.

SECOND, That your oratrix is a resident of the city of Baltimore, State of Maryland and have been for more than two years prior to the filing of this bill of complaint. that the respondent is a resident of the State of Maryland and has been for more than two years prior to the filing of this bill of complaint.

THIRD, That though the conduct of your oratrix toward her husband has always been kind, affectionate and above reproach, he without any just cause or reason abandoned and deserted her and has declared his intentions to live with her no longer, that such abandonment has continued uninterruptedly for more than three years prior to the filing of this bill of complaint and was deliberate and final, and beyond any reasonable hope or expectation of reconciliation.

FOURTH, That your oratrix has never condoned nor forgiven the said desertion, that he has never co-habited with the said respondent since the desertion.

FIFTH, That there is one child born as a result of said marriage. Ethel Smith, fourteen years of age.

Wherefor your oratrix pray.

a-a A divorce A Vinculo Matrimonii from the respondent.

b-b Such other and further relief as the case may require.

MAY IT PLEASE Your Honor to grant unto your oratrix a writ of subpoena, directed unto the said respondent, commanding him to be or appear in this Court on some day certain, to named therein, to perform such decree as may be passed in the premises.

AS in duty bound etc.

264-291

555 B61

Ct. Ct.

192 /

Docket No.

Smith

"
Smith

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

Pro
B 2 3074

(2) (3)

Filed

14 Nov
3 Dec

192 /

J. J. Lewis
SOLICITOR

By

Wm Est

*Thomas F M Mundy
Sheriff*

11/18 1921

REISSUED TO *December* Return Day, 1921

Clara R. [Signature]
Clerk

Wm Est

*Thomas F M Mundy
Sheriff*

EQUITY SUBPOENA

The State of Maryland

To

William A. Smith

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

Blanche V. Smith

against you exhibited in the Circuit Court of Baltimore City,

HEREOF fail not, as you will answer the contrary at your peril:

James P. Gorter

WITNESS, the Honorable ~~ALBERT A. SOBER~~ Chief Judge of the Supreme Bench of Baltimore City, the 12th day of September 192 1

Issued the 26 day of October, in the year 192 1

Chas 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.)

Referent's address
— Church St.

Annapolis, Md.

Ct. Ct.

192

Docket No.

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

Filed 192

SOLICITOR

EQUITY SUBPOENA

The State of Maryland

To

William A. Smith



REISSUED TO

December 11/18 1921
Return Day, 1921
Chas R Whiteford
Clerk

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HEREOF fail not, as you will answer the contrary at your peril:

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WITNESS, the Honorable ~~MORRIS A. SOPER~~ Chief Judge of the Supreme Bench of

Baltimore City, the **12th** day of **September** 192 **1**

Issued the **26** day of **October**, in the year 192 **1**

Chas 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.)

In The Circuit Court
of Baltimore City 1921

Blanche Smith

vs

Wm A Smith

Return for Order of Publication

My Clerk please file

(Signature)

B 23074
(4)

DAVIS & BISHOP

ATTORNEYS AT LAW

BANNEKER BUILDING

14 E. PLEASANT STREET

BALTIMORE, MD.

Ad 20 Dec 1921

J. STEWARD DAVIS, SOLICITOR

14 E. PLEASANT ST.

IN THE CIRCUIT COURT OF BALTIMORE CITY.

BLANCHE V. SMITH VS. WILLIAM A. SMITH.

ORDER OF PUBLICATION:

The object of this suit is to procure a decree for a divorce A VINCULO MATRIMONII, by the plaintiff from the defendant.

The Bill states that the parties thereto were married in Baltimore City, State of Maryland by Rev. Lilly a Methodist minister on or about December 20, 1905; and lived together as man and wife until on or about August 15, 1910. That the plaintiff is a resident of the city of Baltimore, State of Maryland and has been for more than two years prior to the filing of this bill of complaint. That though the conduct of the plaintiff towards her husband was always kind and affectionate and above reproach, he without any just cause or reason abandoned and deserted her, and has declared his intentions to live with him no longer; that there is one child born as a result of said marriage.

[That two successive writs of subpoena issued to the last known address of the defendant have been returned non est by the sheriff of Baltimore City.] It is thereupon by the Circuit Court of Baltimore City, ordered this ^{20th} day of ^{December} 1921; that the plaintiff by causing a copy of this order to be inserted in some daily newspaper, published in the city of Baltimore, once a week for four successive weeks, before the ²⁰ day of ^{January} 1922, and give notice to the said defendant, William A. Smith (now absent) of the object and substance of this bill and warning her to be and appear in this court in person by solicitor, on or before the ⁶ day of ^{February} 1922; to show cause if any she may have, why a decree should not be passed as prayed.

Charles H. Hester

6357
1921

161
Docket No.....

Smith

vs.
Smith

Certificate of Publication

B23074
5

THE DAILY RECORD

Filed 29 day of March 1922

THE DAILY RECORD

841

J. Steward Davis, Solicitor,
14 E. Pleasant St.

IN THE CIRCUIT COURT OF BALTI-
MORE CITY--(B-535-1921)--Blanche V.
Smith vs. William A. Smith.

ORDER OF PUBLICATION.

The object of this suit is to procure a decree for a divorce a vinculo matrimonii by the plaintiff from the defendant.

The bill states that the parties thereto were married in Baltimore City, State of Maryland, by Rev. Lilly, a Methodist minister, on or about December 20, 1905, and lived together as man and wife until on or about August 15, 1910. That the plaintiff is a resident of the City of Baltimore, State of Maryland, and has been for more than two years prior to the filing of this bill of complaint. That, though the conduct of the plaintiff toward her husband was always kind and affectionate and above reproach, he, without any just cause or reason, abandoned and deserted her, and has declared his intentions to live with her no longer; that there is one child born as a result of said marriage.

That two successive writs of subpoena, issued to the last-known address of the defendant, have been returned non est. by the Sheriff of Baltimore City. It is thereupon, by the Circuit Court of Baltimore City, ordered this 20th day of December, 1921; that the plaintiff, by causing a copy of this order to be inserted in some daily newspaper, published in the City of Baltimore, once a week for four successive weeks, before the 20th day of January, 1922, give notice to the said defendant, William A. Smith (now absent), of the object and substance of this bill and warning him to be and appear in this Court, in person or by solicitor, on or before the 8th day of February, 1922, to show cause, if any he may have, why a decree should not be passed as prayed.

CHAS. W. HEUISLER.

True copy--Test:

CHAS. R. WHITEFORD,
Clerk

122,29ja5,12

Baltimore, JAN 12 1922, 192.....

We hereby certify that the annexed advertise-
ment of Order Publication Circuit Court

A Baltimore City Case of
Blanche V. Smith
vs. William A. Smith,

was published in THE DAILY RECORD, a daily news-
paper published in the City of Baltimore, once in each of
Four successive weeks before the

20th day of January, 1922
First insertion December, 22nd, 1921

THE DAILY RECORD

Per Harvey W. Crapster,

555
559

Ct. Ct. No. 2.)

192 211 161

Docket.

Smith

vs.

Smith

Decree Pro Confesso

Boff
23074

No.

6

Filed 20 March 1922

[DECREE PRO CONFESSO.]

Blanche V. Smith

vs.

William A. Smith

IN THE ^{No. 1} Circuit Court ~~No. 2~~

OF

BALTIMORE CITY

Term 1922

The Defendant William A. Smith 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 ~~Bill~~ (said Order)

It is thereupon this 29 day of March in the year nineteen hundred and twelve by the Circuit Court ~~No. 2~~ 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 said defendant. William A. Smith

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.

Carroll I. Bond

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I HEREBY CERTIFY, That on this..... day of....., 19....., before the subscriber, a..... of the State of Maryland, in and for Baltimore City, personally appeared..... the plaintiff in this action, and made oath in due form of law that..... the defendant is not in the military service of the United States.

Doc. 78 525
1921

3/12/14/52

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Blanche Smith

vs.

William Smith

No. 23074B

PLAINTIFF'S COSTS

Examiners.....	\$ <u>8⁰⁰</u>
Copies.....	_____
Sheriff.....	_____
Stenographer.....	<u>2⁰⁰</u>
	\$ <u>10⁰⁰</u>

DEFENDANT'S COSTS

Examiners.....	\$ _____
Copies.....	_____
Sheriff.....	_____
Stenographer.....	_____

pd 12 May 1922

Blaude Smith

vs.

William Smith

In the Circuit Court

OF BALTIMORE CITY.

Secur Pro Confess having
been passed in said 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
twenty-ninth day of *March* 19*22*, met on
the *twenty-ninth* day of *March* in the year nineteen
hundred and *twenty-two* at my office, in the City of Baltimore, in the State
of Maryland, and assigned the *twenty-ninth* day of *March*
in the same year at *five* o'clock in the *after* noon and the
office of *J. Stewart Davis, Esq.* 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:—

g-2 B.

Smith,

v.

Smith.

Testimony taken at the office of Mr. Davis,
215 St. Paul Place, Baltimore, Maryland, March
1922, at 5 O'clock P. M.

BLANCHE V. SMITH, the Plaintiff in this case,
produced on her own behalf, having been first duly
sworn, deposes and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. Blanche V. Smith, 1639 East Madison Street; I do
day's work.

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

A. Yes; I am the Plaintiff and my husband is the De-
fendant.

BY MR. DAVIS:

1 Q. When, where and by whom were you married?

A. December 20th., 1905.

2 Q. Where?

A. 2120 East McElderry Street.

3 Q. In Baltimore City?

A. Yes.

4 Q. By whom?

A. The Reverend Mr. Lilly.

5 Q. Pastor of what Church?

A. The Methodist Church.

Blanche V. Smith.

6 Q. Are you and your husband living together now?

A. No sir.

7 Q. Which left the other?

A. He left me.

8 Q. About when did that occur?

A. About the 15th., of August 1910.

9 Q. Now, state the circumstances surrounding your husband's abandoning and deserting you?

A. Well, he left me on account of non-support; he did not support me at all.

10 Q. He did not support you and went right on away?

A. Yes.

11 Q. Did you do your duty as a good and faithful wife should have done towards her husband?

A. I did.

12 Q. Was the abandonment of you by your husband deliberate, continuous and uninterrupted and final for more than three years prior to the time of the filing of this Bill of Complaint?

A. Yes.

13 Q. Now, it has been ever since when? Make your answer full?

A. It has been ever since the 15th., of August 1910.

Blanche V. Smith.

14 Q. At any time since the 15th., of August 1910, have you or your husband either lived or cohabited together?

A. No sir.

15 Q. Is there any hope or expectation of a reconciliation between you and your husband?

A. No sir.

16 Q. Why do you say that there is no hope or expectation of a reconciliation between you and your husband?

A. Because he did not do anything for me while he was with me, and he won't do it now.

17 Q. You don't think that he is coming back to live with you any more,

A. No sir.

18 Q. Are there any children as the result of this marriage?

A. One girl, fourteen years old.

19 Q. Where is the child?

A. I have the child.

20 Q. How long have you lived in Baltimore City, State of Maryland?

A. My whole life.

21 Q. How long has your husband lived in Maryland?

A. About two years before we were married?

22 Q. Then he has been here in Baltimore, Maryland, ever since about 1903?

Blanche V. Smith.

A. Yes.

23 Q. And he has been evading summons, has he?

A. Yes.

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, year examination, or the matters in question between the parties? If so, state the same fully and at large in your answer.

A/---

No
Blanche D Smith

ANNIE B. GIBSON, a witness of lawful age, produced on behalf of the Plaintiff, having been first duly sworn, deposeseth and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. Annie B. Gibson, 2130 McElderry Street; laboring work.

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

A. Yes.

BY MR. DAVIS:

1 Q. Were you present at the marriage of the parties to this suit?

A. Yes.

2 Q. Are they still living together as husband and wife?

A. No sir.

3 Q. Which left the other?

A. He left.

4 Q. That is Mr. Smith left Mrs. Smith?

A. Yes.

5 Q. Was there any just cause or reason for Mr. Smith to leave his wife?

A. Not that I know of.

6 Q. Did Mrs. Smith do her full duty towards her husband as a good and faithful husband should have done?

A. Yes.

Annie B. Gibson.

7 Q. Has the abandonment been deliberate and continuous and uninterrupted and final for a period of more than three years prior to the 20th., of December 1921?

A. Yes.

8 Q. At any time for a period of three years prior to the 20th., December 1921, has Mr. and Mrs. Smith lived or cohabited together?

A. No sir.

9 Q. Now, state how you know that?

A. Well, I have been living right around here in the neighborhood with her all the time right around her.

10 Q. And he has not been in that neighborhood, has he?

A. No sir.

11 Q. Are there any children as the result of this marriage?

A. One girl.

12 Q. Who has the child?

A. She has it.

13 Q. How long has Mrs. Smith lived in the City of Baltimore, State of Maryland, to your knowledge.

A. All her life.

14 Q. How long has he lived in Baltimore City, State of Maryland?

Annie B. Gibson.

A. Since about three years that I can remember before he and his wife were married.

15 Q. Then he has been here ever since about 1903?

A. Yes.

16 Q. Was the abandonment of Mrs. Smith by her husband deliberate and continuous and uninterrupted for a period of more than three years prior to the 20th., December 1921?

A. Yes.

17 Q. At any time for a period of three years prior to December 20th., 1921, state whether or not she lived or cohabited with her husband?

A. No sir.

18 Q. Is there any hope or expectation of a reconciliation between the parties to this suit?

A. No sir; not that I know of, sir.

19 Q. Why do you say that there is no hope of expectation of a reconciliation between the parties to this suit?

A. I dont think so; he has been away so long; he did not do anything while he was there and I dont suppose that he is coming back.

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, year examination, or the matters in question between the parties? If so, state the same fully and at large in your answer.

Witness
U. Grant Pyles

A/--- *U.S.*
has
Amie *x* D. Gibson
mark

SARAH DRIVER, a witness of lawful age, produced on behalf of the Plaintiff, having been first duly sworn, deposeseth and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. Sarah Driver, 1639 Madison Street; laundry work.

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

A. Yes.

BY MR. DAVIS:

1 Q. Were you present at the marriage of the parties to this suit?

A. Yes.

2 Q. Are they living together now as husband and wife?

A. No sir.

3 Q. Which left the other?

A. He left her.

4 Q. State about when that occurred?

A. About the 15th., of August 1910.

5 Q. Will you state the circumstances surrounding his leaving; state why he left?

A. I can not tell you why; I know that he did not support her, and, of course, when he did not support her he was not going to stay

Sarah Driver.

6 Q. He did not support her and he went right away, to keep from doing it?

A. Yes; to keep from doing it, yes.

7 Q. Did she do her full duty as a good and faithful wife should do towards her husband?

A. Yes; she certainly did.

8 Q. Was the abandonment by Mr. Smith of Mrs. Smith, deliberate and continuous and final for a period of three years prior to the 20th., day of December 1921, the date when this Bill of Complaint was filed?

A. Yes.

9 Q. At any time for a period of three years prior to December 20th., 1921, state whether or not she has lived or cohabited with her husband?

A. No.

10 Q. State how you know that?

A. Because she lived in the house with me.

11 Q. Is there any hope of a reconciliation between the parties to this suit?

A. No sir.

12 Q. State why you don't believe there is any hope of a reconciliation?

A. He did not do anything for her while he was with her and I don't see why she would want him back.

13 Q. You don't believe that he is coming back?

A. No sir; I am most sure that he won't.

Sarah Driver.

14 Q. How long have Mr. and Mrs. Smith lived in Baltimore City, State of Maryland?

A. She has lived here all of her life, and he has lived here since about 1903.

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, year examination, or the matters in question between the parties? If so, state the same fully and at large in your answer.

Witness
U. Grant Tyler

A/--- *No*
him
Sarah X *Driscoll*
mark

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 12th day of May in the year of Our Lord nineteen hundred and plaintiff 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 each of which I was employed by the Plaintiff, and on none by the Defendant.

A. de Russey Sappington
Examiner.

Circuit Court

555
1921

Docket No.

Smith

vs.

Smith

Order of Reference
and Report

B Arbitator
23074

No.

8 ✓

Order Filed *26* day of *May* 19 *22*

Report Filed *27* day of *"* 19 *22*

Blanch Smith

vs.

William A Smith

IN THE
Circuit Court

OF

BALTIMORE CITY

May Term, 19 22
26

This case being submitted, without argument, it is ordered by the Court, this day of May, 19 22, that the same be and it is hereby referred to Alex H Robertson, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Carroll I Bond

Report of Auditor and Master

Bill filed by wife against husband for divorce a vinculo matrimonii on ground of abandonment for three years, Code Art. 16, Sect. 36. Order of publication against defendant after two successive returns of non-est, no answer, decree pro confesso, thirty days elapsed. Proof shows marriage, residence and abandonment by defendant for at least three years, continuous, deliberate, final and without hope of reconciliation. Minor child, Ethel Smith, should be awarded the plaintiff. Case ready for decree.

Alex H Robertson
Auditor & Master.

CIRCUIT COURT

B 555
1921 No. Docket

BLANCHE SMITH

VS.

WILLIAM SMITH

Recorded

Folio 115 1922.

Decree of Divorce

B No. B23074
19

Ad 27" May 1922

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

Alex W. Robertson
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

.....**BLANCHE SMITH**.....

VS.

.....**WILLIAM SMITH**.....

.....**May**..... Term, 19**22**..

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

It is thereupon, this 27th day of May, A. D. 1922 by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said **BLANCHE SMITH**

the above named Complainant be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, **WILLIAM SMITH**, and that the minor child, **Ethel Smith**, be awarded the plaintiff.

And it is further Ordered, That the said Plaintiff pay the cost of this proceeding.

Carroll J. Bond