

FD

IN THE CIRCUIT COURT OF  
BALTIMORE CITY

*B 314 / 1923*

WILLIAM EDGAR BURKETT

VS.

HELEN BURKETT

*2113 McCulloh St.*

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

*B 25342*

*J. Steward Davis*  
ATTORNEY FOR PLAINTIFF.

DAVIS & BISHOP  
ATTORNEYS AT LAW  
BANKER BUILDING  
14 E. PLEASANT STREET  
BALTIMORE MD.

*J. Steward Davis*  
*May 1923*

FD

WILLIAM EDGAR BURKETT : IN THE CIRCUIT COURT  
VS. : OF  
HELEN BURKETT : BALTIMORE CITY

---

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:-

(1) That he was married to his wife, Helen Burkett, on or about the 27th day of March, 1913 and with whom he resided until about June 18, 1918.

(2) That though the conduct of your Orator toward the said Helen Burkett has always been kind, affectionate and above reproach, she has, without 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 expectation 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 as issue 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.

TO THE END, THEREFORE:

(a) That your Orator may be divorced a Vinculo Matrimonii from the said Helen Burkett.

(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 Writ of Subpoena directed against the said Helen Burkett, 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. Steward Davis*  
\_\_\_\_\_  
SOLICITOR FOR COMPLAINANT.



EQUITY SUBPOENA



192 3 Docket No.

Burbett

Burbett  
40 Louis Rosenbergh  
Saville Apt. Lake Drive

SUBPOENA TO ANSWER BILL OF COMPLAINT

No. B Pw  
25342

Filed 11 June 192 3

Hand  
" 29 " 18  
SOLICITOR

298-337

74363 Ct. Ct.

Non Est  
(mistake)  
Thomas A. McHenry  
Sheriff

6/15 192 3

REISSUED TO

Return Day July 2

Frank Waterford  
Clerk

Summoned and a copy of the process  
left with the defendant.  
(provided) 6/19/23  
Thomas J. Mc. July  
Sheriff

Fees \$0.80



EQUITY SUBPOENA

The State of Maryland

To

*Kelen Burkett pp. 6/19/43 #18*

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

*William E. Burkett*

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 14th day of May 192 3

Issued the 17 day of May, in the year 192 3

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.)

314

In the  
Circuit Court  
of  
Baltimore City

*B 314*  
Wm. Edgar Burkett

*1510 W. 9th St  
vs  
9-23*

Helen Burkett

Answer

Mr. Clerk:-

Please file.

*Wm C. McCard*

*B 25-342  
(4)*

WILLIAM C. McCARD  
ATTORNEY AT LAW  
BALTIMORE, MD.

*Ed W. June 1923*

Wm. Edgar Burkett ) In the  
vs ) Circuit Court  
Helen Burkett ) of  
 ) Baltimore City

To the Honorable the Judge of said Court:-

Your defendant by her attorney, Wm. C. McCard, respectfully answering the Bill of Complaint in this cause against her exhibited says:-

First:

She admits the allegations as set forth in paragraph one of the Bill of Complaint.

Second:

She denies each and every allegation set forth in paragraph two and demands strict proof of the same.

Third:

She denies the allegations set out in paragraph three of said Bill.

Fourth:

She admits the allegations set forth in paragraphs four and five of said Bill.

Fifth:

And further answering Your defendant says that she is a weak woman and has no means of support, or means to defend this suit other than her own labor as a domestic; but that the plaintiff is an able bodied man regularly employed and receives \$40.00 per week wages.

That she is advised that this Honorable Court will allow her such a sum as alimony pendente lite and such a further sum to employ Counsel as to this Court may seem just and proper.

And having fully answered Your defendant prays-

- a. That this Honorable Court allow her such a weekly sum as alimony pendente lite as may seem just.
- b. That she may be allowed such a further sum as will permit her defend this suit.
- c. That she may be dismissed hence with her Costs.

And as in duty bound &c.

Mrs Helen Burkett  
Defendant

Wm C. McCard  
Attorney for Defendant.



State of Maryland,

Baltimore City, to-wit:-

I Hereby Certify that on this <sup>29<sup>th</sup></sup> day of June in the year one thousand nine hundred and twenty three before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared the aboved named Helen Burkett, defendand and made oath in due form of law the that matters and facts in the foregoing answer are true to the best of her knowledge and belief.

Witness my hand and Notarial Seal.

*Carlos C. Jennings*  
Notary Public.

Score on  
Wm E. Burkett  
for 10 AM  
any morning

B63 Docket 314  
1923  
Circuit Court

Burkett

vs.  
Burkett  
1510 (M) - Alimony at

Order Counsel Fee and Alimony  
Pendente Lite

Ⓟ No. 25342

\$400 (4)  
no order  
10

July 19 23  
10

Copy of the within Order of Court served on  
William E. Burkett on the 12<sup>th</sup> day of July 1923  
in the presence of Aloysius R. Nitach  
Thomas J. McEntally  
Sheriff  
Fees \$0.50

William C. Burkett

vs.

Helen Burkett

-IN THE-  
**CIRCUIT COURT**

-OF-

**BALTIMORE CITY**

May

TERM

ORDERED BY THE COURT this <sup>2nd</sup> day of July 1923

that the Plaintiff

William C. Burkett

pay to the Defendant

Helen Burkett

inca

the sum of ten twenty-five Dollars as Counsel Fee for the

Solicitor of the Defendant and that he further pay the sum of ten

Dollars per week, during the continuance of this suit, to the said Defendant

Helen Burkett

as Alimony, *pendente lite*, unless cause to the contrary be shown on or before the

17

day of July 1923, provided a copy of this Order be served on the said Plaintiff

William C. Burkett

day of July 1923

19

James M. Cumber

TRUE COPY—TEST:

CLERK



A copy of the foregoing order having been served upon the defendant as is shown by the Sheriff's return hereon, and no cause to the contrary having been shown, it is this 18<sup>th</sup> day of September 1923, ordered by the Circuit Court of Baltimore City that the same be, and it is hereby made absolute and final.

Henry Duff

CIRCUIT COURT

314  
19 7 23

Docket No.

Gurbett

vs.

Gurbett

Order

19

Petition for leave to take  
Testimony and Order  
of Court thereon.

B 25342

No.

Sapp <6>

Fd 6 July 19 23

Circuit Court

BALTIMORE CITY

IN THE

William E. Bennett

vs.

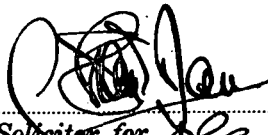
Helen Bennett

IN THE  
Circuit Court  
OF  
BALTIMORE CITY

To the Honorable the Judge of the  
Circuit Court of Baltimore City:

THE PETITION OF the plaintiffs

in this case, respectfully shows that \_\_\_\_\_ desire \_\_\_\_\_ to take testimony in this case, and  
respectfully pray \_\_\_\_\_ that leave be granted \_\_\_\_\_ to do so before one of the Standing  
Examiners of this Court.

  
Solicitor for plaintiffs

ORDERED, this 6<sup>th</sup> day of July, 1923, that  
leave be granted to the parties to the cause, to take testimony, as prayed, before any one  
of the Standing Examiners of this Court.

James M. Cumbler



Mr. Edgar Burkett }  
 ✓ }  
 Helen Burkett }

asked her why she went out for me  
 any reason but was go up stairs singing  
 or something like. I have told her that  
 if she don't do better I will leave her.

1 Mr. Edgar Burkett 1510 McCulloch  
 Chauffer  
 2 Jan. P. D. De, my ut  
 10 Davis,

7 she will say she wish that I would  
 go she was grandm. I don't lette  
 to cocher a man or a woman and not  
 be quarrelling

1 Cohen &  
 Mar 27 1918 in Batts City by the  
 Pastor of the Evng Baptist Ch  
 I after yr mar when day yr of the  
 1010 Park as

6 # Court was open and not here her  
 I was a king & left hand & provide  
 for her she did not have to cook all  
 she has to do was to take care of  
 the house

3 the y long together was  
 no  
 4 col left the other  
 I left her  
 5 why

7 # when was it & of separate  
 It was in the fall of 1918 I  
 don't recall the date  
 8 # My husband & I had a fight with her  
 some the sep 2

Because she was not cook my  
 meals she was go out & stay until  
 2 & was in the morning, she might  
 our home when I asked her when she  
 had been she went out for me any  
 reason & when I came home I had  
 to prepare my own meals or buy  
 them in the lunch room. I know she  
 nothing in the house to eat. If I

No  
 9 any chon of when mar  
 No  
 10 # Has she any of yr long yr of  
 contented interruptedly for me 3 20  
 pen to the filing of yr Bill  
 11 # I at debt of & beyond any hope  
 of reconciliation 20

12 # How long by Hudson Bluff  
and

30 years + still in line  
13 # How long by Hudson Bluff  
back + in with you  
you but she went away &  
didn't give me any answer.

14 # when was she in  
with her mother in the city

1 Alberta G Campbell - 1206  
Puma on Patey woman

2 yr. I know him all my life  
he is my Bro & I have known  
him since they were married

1 when was she married  
It was in 1913 I was not  
present at the wedding but  
they had by me they were  
married & they had a girl as  
last

2 when was Bro Campbell  
his wife?

It seems to be all right he  
reminded me he did not have  
to work & he was kind of a  
B.W. was his conduct was he

she treated him like some body  
who was strange to her. She had not  
met him she got so that she  
did not cook her meals or take care  
of the house & if he asked her  
why her meals were not ready  
she would give him no answer

I know that she used to go out  
with my cousin & I have heard her  
say that she had said out

lali & bag at that

~~Can they buy together now~~

14 Did you hear my brother say that  
if she did not do better she would  
leave him & she was saying  
yes & she said she did not care

5 Can they buy together now

no

6 what left the other

He left her

7 why?

Because of her treatment of him

8 can any child live in C. mac

no

9 How long has your brother been in Ball City

no

All his life

10 Does he live in Ball City

yes

11 Did he ever live with them

separately.

It was in 1918

12 Has the A. S. D. of the P. H. S. the  
Dept. of Justice ever  
promised him 3 yrs per to  
the filing of the Bill in C. mac

yes

13 Do you go to the Sep. 21st of the  
C. mac hope you can contact

I think so I am almost sure of that

14 Can the Sep. have they been  
in contact together

Not to my knowledge as I

know that he has not had much  
to do



Doc. B  $\frac{314}{1923}$

In the Circuit Court,  
OF BALTIMORE CITY

DEPOSITIONS

William Edgar Burkett

vs.

Welen Burkett

No. 205342B

PLAINTIFF'S COSTS

Examiners.....\$ 8.00

Copies.....

Sheriff.....

Stenographer.....

\$ \_\_\_\_\_

DEFENDANT'S COSTS

Examiners.....\$ \_\_\_\_\_

Copies.....

Sheriff.....

Stenographer.....

\$ \_\_\_\_\_

Ad 25 Sept 1923

3/15/124



William Edgar Burkett

vs.

Helen Burkett

In the Circuit Court

OF BALTIMORE CITY.

The above cause being at issue

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

sixth day of July 1923, met on

the sixth day of July in the year nineteen

hundred and twenty-three at my office, in the City of Baltimore, in the State of Maryland, and assigned the sixth day of July

in the same year at three o'clock in the afternoon and the office of A. de R. Sappington, 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:

8-B

WILLIAM EDGAR BURKETT

-vs-

Helen Burkett.

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Testimony taken at the office of A. de R. Sappington, Esq., 733-45 Title Building, Balto., Md., July 6th, 1923, at 3 o'clock P. M.

-----

WILLIAM EDGAR BURKETT, the Plaintiff in this case, produced on his own behalf, having been first duly sworn, deposeth and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name, residence and occupation?  
A. William Edgar Burkett, 1510 McCulloh Street.  
Chauffeur.

2 Q. Do you know the parties to this suit?  
A. I am the Plaintiff and the defendant is my wife.

BY MR. DAVIS:

1 Q. When, where and by whom were you married?  
A. March 27th, 1913 in Baltimore City by the Pastor of the Enon Baptist Church.

2 Q. After your marriage where did you and your wife live?

A. 1010 Park Avenue.

3 Q. Are you living together now?

A. No.

4 Q. Which left the other?

William Edgar Burkett.

A. I left her.

5 Q. Why?

A. Because she never would cook my meals. She would go out and stay until three and four o'clock in the morning. She neglected our home and when I asked her where she had been she wouldn't give me any answer. When I came home I had to prepare my own meals or buy them in the lunch room. There would be nothing in the house to eat. If I asked her why she would not give me any reason, but would go up stairs singing or something like that. I have told her that if she did not do better I would leave her and she would say she wished that I would go. She was quarrellsome. I couldn't talk to either a man or a woman without her quarrelling.

6 Q. What was your conduct towards her?

A. I was a kind and affectionate husband and provided for her. She did not have to work all she had to do was to take care of the house.

7 Q. When was it that you separated?

A. It was in the Fall of 1918. I don't recall the date.

8 Q. Have you lived or cohabited with her since the separation?

A. No.

9 Q. Were there any children born as the result of this

marriage?

A. No.

10 Q. Has the abandonment and desertion of you by your wife continued uninterruptedly for over three years prior to the filing of your Bill?

A. Yes.

11 Q. Is it deliberate and final and beyond any hope of a reconciliation?

A. Yes.

12 Q. How long have you lived in Baltimore City, Maryland?

A. Thirty years and I still live here.

13 Q. Have you ever tried to get your wife to come back and live with you again?

A. Yes, but she went away and didn't give me any reason.

14 Q. Where does she live now?

A. With her mother in this City.

15 Q. Did you see your wife after the separation and did you ask her to return to you?

A. Yes, she said she would not.

16 Q. How often did you see her?

A. I saw her twice and asked her to come back, but she would not. I saw her in June and July, 1919.



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 maybe 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.

Wm C Barrett

ALBERTA G. CAMPHER, 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. Alberta G. Campher, 1206 Pennsylvania Avenue.  
Pantry Woman.

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

A. Yes. I have known him all my life. He is my brother and I have known her since they were married.

BY MR. DAVIS:

1 Q. When were they married?

A. It was in 1913. I was not present at their wedding, but they both told me they were married and they lived together as husband and wife.

2 Q. What was your brother's conduct towards his wife?

A. It seemed to be all right. He provided for her. She did not have to work and he was kind and affectionate towards her.

3 Q. What was her conduct towards him?

A. She treated him like somebody who was strange like, that hadn't met him. She got so that she did not cook his meals or take care of the house and if he asked her why his meals were not ready she would give him no answer. I know that she used to go out with my cousin and I have heard his wife say that she had stayed out late and bragged about it

Alberta G. Campher.

4 Q. Did you hear your brother say that if she did not do better he would leave her?

A. Yes and she said she did not care.

5 Q. Are they living together now?

A. No.

6 Q. Which left the other?

A. He left her.

7 Q. Why?

A. Because of her treatment of him.

8 Q. Were any children born of this marriage?

A. No.

9 Q. How long has your brother lived in Baltimore City, Maryland?

A. All his life.

10 Q. Does he live in Baltimore City?

A. Yes.

11 Q. About when was it that they separated?

A. It was in 1918.

12 Q. Has the abandonment of the Plaintiff by the defendant continued uninterruptedly for more than three years prior to the filing of the Bill in this case?

A. Yes.

13 Q. In your opinion is the separation deliberate and final and beyond any hope of a reconciliation?

A. I think so. I am almost sure of that.

Albert G. Campher.

14 Q. Since the separation have they lived or co-habited together?

A. Not to my knowledge. No. I know that he has not lived with her.



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 maybe 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

Melita L. Campbell

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 27th day of September in the year of Our Lord nineteen hundred and twenty-three at the City of Baltimore, in the State of Maryland.

Adm. Sappington (SEAL).  
Examiner.

There are no Exhibits with these depositions, to wit:

Plaintiff's Exhibit

Defendant's Exhibit

Adm. 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.

Adm. Sappington  
Examiner.

B 314  
1923

Cir. Ct. No. 2.

Docket No. ....

Wm Edgar Berrett

vs.

Helen Berrett

SUBMISSION FOR DECREE.

Mr. Clerk,

Please file,

*[Signature]*

Solicitor for Plaintiff.

No. 25342

25 Sept

Filed ..... 1923

Wm Edg. Burkett

vs.  
Helen Burkett

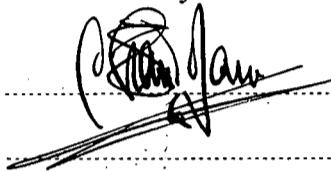
In the Circuit Court ~~No. 2~~  
Of Baltimore City.

TERM 192.....

To the Honorable

Judge of the Said Court:

The above cause is respectfully submitted for  
decree and the 43rd General Equity Rule is hereby waived.



Solicitor for Plaintiff,



Solicitor for Defendant.



Circuit Court

B 314  
192 3

Docket No. ....

Burkett

vs.

Burkett

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Order of Reference  
and Report

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Robt.

B No. 25342

2107  
Robertson

Order Filed 25 day of Sept 1923

Report Filed ..... day of ..... 192

*Wm Edgar Berkett*

*vs.*  
*Robert Berkett*

IN THE  
**Circuit Court**

OF

BALTIMORE CITY

*Sept*

Term, 192

3

*25*

This case being submitted, without argument, it is ordered by the Court, this  
day of *September*, 192*3*, 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.

*Henry [unclear]*

**Report of Auditor and Master**

Bill filed by husband against wife for a divorce a vinculo matrimonii  
for abandonment for three years. Code Art. 16, Sec. 36.

Defendant summoned and answers.

Proof shows marriage, residence and abandonment for three years, con-  
tinuous, deliberate, final and without hope of reconciliation.

Case ready for decree.

*Alex H Robertson*

Auditor and Master.

CIRCUIT COURT

B 314  
1923

No. 63 Docket

William Edgar Burkett

VS.

Helen Burkett

Recorded

Folio 249 1923

Decree of Divorce

B 25342

B No.

1117

Ad 27 September 1923

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

*Alex. M. Webster*  
Auditor and Master.

Circuit Court

OF

BALTIMORE CITY

William Edgar Burkett

VS.

Helen Burkett

September

Term, 19

23

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

It is thereupon, this 27 day of September, A. D. 1923.

by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

William Edgar Burkett

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, the said Helen Burkett.

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

Henry Duff