

IRWIN BUTLER	*	
	*	
VS	*	IN THE SUPERIOR COURT
	*	
	*	OF
MARTHA GASSAWAY	*	
	*	BALTIMORE CITY

Martha Gassaway, defendant in the above entitled cause, by G. L. Pendleton her Attorney, most respectfully moves the Court for an order against the plaintiff, Irwin Butler requiring a complete disclosure of the property taken under writ of replevin issued out of this Court.

For reasons says:

1. That upon the execution of returno habendo proceedings on the 18th day of October 1921, issued out of this Court, the ^{plaintiff}~~defendant~~ refused to deliver the goods and chattles mentioned in the same,

2. That although the goods and chattles mentioned in the said proceedings were located in the house at 308 N. Eden Street, Baltimore City, the plaintiff by his agents, ~~servants~~^{servants} and employees, defied the Sheriff to take the said goods and chattles locked the door and refused to permit the same to be taken.

AND that the said Martha Gassaway, defendant, respectfully moves the Court for an order of contempt against the said Irwin Butler, plaintiff in the above entitled case.

And that the defendant executed her bond for five hundred dollars in compliance to an order of this Court and filed in these proceedings.

(2)

And that the defendant has no other remedy against the plaintiff other than an order requiring the plaintiff, Irwin Butler, to disclose to this Court the location of the goods and chattles metioned in these proceedings.

G. P. Reed

Attorney for Defendant.

State of Maryland
City of Baltimore SS:-

I hereby certify that on this 19 day of October 1921, before me the subscriber a Notary Public of the State of Maryland in and for said city, personally appeared Martha Gassaway and made oath in due form of law that the matters and things set out in the foregoing are true to the best of her knowledge and belief.

Mary B. Cook

Notary Public

Upon the foregoing motion and affidavit, this 20 day of October 1921, by the Superior Court of Baltimore City that Irwin Butler, plaintiff in these proceedings be and he is hereby directed to forthwith deliver to the defendant, Martha Gassaway the goods and chattles mentioned in these proceedings taken under the writ of replevin.

AND it is further ordered that Irwin Butler come into this Court, in person, on the 24 day of October 1921, 10 o'clock A. M. and dicloise to this Court the location of the property taken under the writ of replevin, on the 20 day of October 1921, provided a copy of this order be served on Irwin Butler, on or before the 21 day of October 1921.

James P. Gorten

968
1921

IN THE
SUPERIOR COURT
OF
BALTIMORE CITY

IRWIN BUTLER - 10/20/21

5.00 P.M.

VS

MARTHA GASSAWY

DEFENDANT'S MOTION FOR AN
ORDER OF CONTEMPT.

Mr. Clerk,

Please file etc.

G. L. O'Connell
Attorney for Defendant.

3
F. 20, Oct. 1921

Copy of the within Motion and Order of Court served
on Irwin Butler on the 20th day of October, 1921
at 5.00 o'clock P.M. in presence of Morris Finkelstein.
Thomas J. McVultry
Sheriff
Fees \$0.50

Ironi Duller

Mother's Ludlowey

Mr. Duller

Please do not
take coal & wood from
the summer house.

G. L. Duller

9-24-21

Ally for
Duller

310 W. Edman

1	Oak China closet	40.00
1	2 Set Dishes	10.00
1	Oak Ice Box	5.00
1	Dining Room Table Oak	8.00
4	" " " " Chairs Oak	8.00
1	Matting Druggist dining room floor	5.00
1	Set Dishes in dining room sideboard	3.00
1	Parlor Matting Druggist	5.00
1	Blush Parlor Suit	30.00
1	Brass Stand With Marble Slab	5.00
1	Glass Mirror Parlor	3.00
1	Gas Range	20.00
1	Cloth covering kitchen	3.00
1	Brass Bed With Spring and Mattress	15.00
1	Matting Druggist front Bed room	5.00
1	White Enamel Bed With Spring and Mattresses	20.00
1	Carpet 2 floor Bathroom Back	3.00
3	Rugs in bathroom	20.00
3/4	200 Coal	
4	Load Woods	
1	Morris Chair	3.00
6	Low Chairs	
	Total	211.00

Nov 15. Cont. to Nov R. 1892/1

Schedule &

RETORNO HABENDO.

STATE OF MARYLAND,
BALTIMORE CITY, to-wit:

To the Sheriff of Baltimore City, Greeting:

WHEREAS,

Martha Gassaway

of Baltimore City, State of Maryland, was summoned to be and appear
in Superior Court of Baltimore City, on the Second Monday of
October 1924 to answer unto

Irwin Butler

in a plea, wherefor she took the goods and chattels of the said

Irwin Butler

and them unjustly detained against gages and pledges, &c.

AND WHEREAS THE SAID

Martha Gassaway

came into the said Superior Court here, and the said Court having on motion of the said

Martha Gassaway

adjudged a return of the said goods and chattels to the said

Martha Gassaway

on her finding sufficient sureties, as well to abide by the judgment of the said Court in the plea aforesaid, as also to
make return of the said goods and chattels to the said

Irwin Butler

if it shall be so adjudged. And the said

Martha Gassaway

having found such sureties,

THEREFORE you are hereby commanded that the said goods and chattels,

- 1 Oak China Closet, 1 Set Dishes, 1 Oak Ice Box, 1 Dining Room Table
- Oak, 4 Dining Room Chairs Oak, 1 Matting Drugget (dining room floor)
- 1 Set Dishes (in dining room sideboard), 1 Parlor Matting Drugget,
- 1 Plush Parlor Suit, 1 Brass Stand with Marble Slab, 1 Glass Mirror
- (Parlor), 1 Gas Range, 1 Oilcloth (covering kitchen), 1 Brass
- bed with spring & mattress, 1 Matting Drugget (front bed room),
- 1 White Enamel bed with spring & Mattress, 1 Carpet 2nd. floor
- bedroom back, 3 Rugs (in bathroom), 3 1/4 Ton coal, 4 Loads Wood,
- 1 Morris chair ~~6 Live chickens~~

being in your bailiwick, you cause to be redelivered to the said

Martha Gassaway

and how you shall execute this Writ make known to the said Court to be held at the Court House in the City of Baltimore
on the Second Monday of *November* next

HEREOF fail not at your peril, and have you then and there this Writ.

WITNESS, the HONORABLE *James P. Butler* CHIEF JUDGE OF THE SUPREME BENCH OF BALTI-

MORE CITY, the *12th* day of *October* 1924

Issued the *17th* day of *October* 1924

Stephen C. Little

Clerk.

NO. 15

968
1921

—IN THE—

Superior Court
—OF BALTIMORE CITY.—

Martha Gossaway

vs.

Jerin Butler
\$380

WRIT OF RETORNO HABENDO.

G. L. Pendleton
atty

Sheriff 626 - \$3.80 pd 10/24/21

Filed NOV 4 1921 189

Property redelivered as per Schedule herewith returned. Eloigned as to the remainder of the property mentioned in writ and defendant summoned.

Thomas S. McHarty

Sheriff.

Jerin Butler

Martha Gossaway

Know All Men by These Presents,

THAT WE,

*Martha Gassaway, Dennis Simms
& Matthias Williams*

all of Baltimore City, in the State of Maryland, are held and firmly bound unto *Irvin Butler*

Five hundred ~~and no~~ *\$500.00* in the full and just sum of Dollars, current money, to be paid to the said *Irvin Butler*

by certain attorney, Executors, Administrators or Assigns to which payment well and truly to be made and done, we bind ourselves, our and every of our Heirs, Executors and Administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this *17th* day of *October*

in the year of our Lord ~~eighteen hundred~~ *seventy one* and *Martha Gassaway*

WHEREAS, the above bound *Martha Gassaway* was summoned to be in the Superior Court of Baltimore City here on the Second Monday of *October 1921* to answer unto *Irvin Butler*

in a plea wherefore ~~she~~ *he* took the goods and chattels of the said *Martha Gassaway* and them unjustly detained against gages and pledges, &c. *Irvin Butler*

AND WHEREAS THE SAID *Martha Gassaway*

came into the said Superior Court here, and the said Court having on motion adjudged a return of the said goods and chattels to the said *Martha Gassaway*

on ~~her~~ *his* finding sufficient sureties, as well to abide by the judgment of the said Court in the action aforesaid, as also to make return of the said goods and chattels to the said *Irvin Butler*

if it shall be so adjudged, ordered or decreed.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the said *Martha Gassaway*

shall in all things stand to, abide by, perform and fulfill the judgment of the Court in the premises, and pay all damages and costs that may be awarded to said *Irvin Butler*

in the event that the said Court shall render judgment against the said *Martha Gassaway* then the above obligation to be void, else to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of

Wm Campbell

Martha Gassaway [SEAL.]
Dennis Simms [SEAL.]
Matthias Williams [SEAL.]
Wm. Simms Valued 7000.00 [SEAL.]

I HEREBY CERTIFY, that on this 17th day of October 1921

personally appeared before me, the subscriber, a deputy Clerk of the Superior Court of Baltimore City Samma,
Samma & Matthew Williams the sureties in the within bond, and made oath in due form of law,
on the Holy Evangelry of Almighty God, (~~the free books of Moses~~ he being Israelite) that they are severally
resident of the City of Baltimore, in the State of Maryland, and are each respectively worth \$ 5000 over and above
all debts, dues, demands and incumbrances whatever, against them besides property exempt by law from execution.

W. Kempster Deputy Clerk.

968
1921
No. 223 Su. Ct.

Mattha Gassaway

vs.

Erwin Butler

BOND FOR RETORNO HABENDO.

The within bond and securities approved by
me this 17th day of October 1921
Stephen C. Little
Clerk Superior Court of Baltimore City.

Filed 17 day of Oct 1921

341

OCT 18 1921 at 10 o'clock
at same way recorded in Liber
S. C. L. No. 3 Folio 341, go.
one of the Bond Records of
Baltimore City and examined,
per Stephen C. Little Clerk.

IRWIN BUTLER *
 VS * In the Superior Court
 *
 * of
 *
 * Baltimore City.
 MARTHA GASSAWAY *

The defendant, Martha Gassaway, in the above entitled case respectfully moves the Court for return of the goods and chattles taken from her under writ of replevin, by the plaintiff in the above entitled case:

And for reasons says:

FIRST: That the goods and chattles taken under said writ is the property of this defendant.

SECOND: That the property taken under said writ was paid for by this defendant the receipts of which she is ready to exhibit to this Court showing the same was paid for by her.

THIRD: That the property was taken upon fraudulent representations of the plaintiff without any right existing him at the time of the said taking.

FOURTH: And for other good and substantial reasons to be urged and heard at the hearing of this motion.

G. L. Audubon

 Attorney for Defendant.

Martha Gassaway

State of Maryland
 SS:-
 City of Baltimore

I hereby certify that on this *12th* day of *October* 1921
 befor me the subscriber a *Notary Public* of the State
 of Maryland in and for said city, personally appeared
Martha Gassaway and made oath in due form
 of law that the matters and things set out in the afore-
 going are true to the best of her knowledge and belief.

Caroline Murray
 Notary Public.

Upon the foregoing motion and affidavit this 14th day
of October 1921, it is ordered by the Superior Court
of Baltimore City, that the household goods and chattels taken
possession of by the plaintiff by the writ of replevin issued
by this Court to be returned by the plaintiff to the defendant
upon the filing of a Retono Habendo Bond for the sum of five
hundred dollars to be approved by this Court con-
ditioned for the return of said household goods and chattels to
the plaintiff in the event of the plaintiff success in this suit.

James P. Gorter

IN THE
SUPERIOR COURT
OF
BALTIMORE CITY

IRWIN BUTLER
VS
MARTHA GASSAWAY

DEFENDANT'S MOTION FOR THE
RETURN OF THE PROPERTY TAKEN.

Mr. Clerk,
Please file etc.

G. R. Rudolph
Attorney for Defendant.

*Service of the within motion
is this 14th day of Oct. 1921
admitted by*

*J. Steward Davis
Attorney for Pff*

Filed 17th Oct. 1921

1 Oak China closet	50 00
1 Set Dishes	10 00
1 Oak Ice Box	3 00
1 Dining room table oak	6 00
4 Dining room chairs oak	12 00
1 Matting Druggist (dining room floor)	2 00
1 Set dishes (in dining room sideboard)	5 00
1 Parlor matting druggist	2 00
1 Plush Parlor suit	30 00
1 Brass Stand With marble Slab	2 00
1 Glass Mirror (Parlor)	2 00
1 Gas range	25 00
1 Oilcloth (covering kitchen)	3 00
	<hr/> 152 00

A SCHEDULE

Of the Goods, Chattels, Lands, enements, and Credits of Martha Gassaway -----
 ----- seized and taken by virtue
 of a writ of ----- Replevin ----- issued out of the
 Superior Court of Baltimore City ----- and to the
 Sheriff thereof, directed at the suit of Irvin Butler -----
 ----- and appraised by said Sheriff
 and by us, the subscribers, who being first duly summoned and sworn for that purpose.

Given under our hands and seals, this 6th ----- day of October ----- 19 21.

Forward 152.00

1	Brass bed With Spring and Mattress	15	00
1	Matting druggist (Front bed room)	2	00.
4	White enamel bed With Spring and Mattress	15	00.
1	Carpet 2 nd floor bedroom back	1	00.
3	Rugs in (bathroom)	10	00.
3	1/4 Ton coal	5	00.
4	loads Wood.	3	00
1	Morris chair	2	00
6	Livv chickens	3	50
	Total	208	50

John Williams {SEAL}
Joe Jackson {SEAL}
Harold Jackson {SEAL}
Thos. F. McNulty, Sheriff {SEAL}

Received, Baltimore October 6th, 1921, of Thomas F. McNulty, Sheriff of
 Baltimore City, the property as per Schedule above. *Irvin Butler*

No 223, Orig. to Act R. M. 1921

Schedule

Ed 10th Oct. 1921

BALTIMORE CITY, to wit:

THE STATE OF MARYLAND,

To the Sheriff of Baltimore City, Greeting:

Whereas, *Irvin D. Butler*

of Baltimore City, has come into the Superior Court of Baltimore City, and found sufficient sureties, as well for his clamor to prosecute, as for the following property, viz:

- ✓ 1 oak china closet 5000
- ✓ 1 set dishes 1000
- ✓ 1 oak ice box 300
- ✓ 1 dining room table (oak) 600
- ✓ 4 dining room chairs (oak) 1200
- ✓ 1 matting rugget (dining room floor) 200
- ✓ 1 set dishes (in dining room sideboard) 500
- ✓ 1 parlor matting rugget 200
- ✓ 1 plush parlor seat 3000
- ✓ 1 brass stand with marble slab 200
- ✓ 1 glass mirror (parlor) 200
- ✓ 1 gas range 2500
- ✓ 1 oil cloth covering (kitchen) 300
- ✓ 1 brass bed with springs + mattress 1500
- ✓ 1 matting rugget (front bed room) 200
- ✓ 1 white enamel bed with springs + mattress 500
- ✓ 1 carpet, 2nd floor bedroom (back) 100
- ✓ 3 mugs. (bathroom) 1000
- 3/4 ton coal 500
- 4 loads wood 200
- ✓ 1 Morris chair 500
- ✓ 6 live chickens 350

1921

the 12th day of September, 1921.

ISSUED. the 1st day of October, 1921.

Stephen C. Little

CLERK.

283
21
5000
1000
300
600
1200
200
500
200
3000
200
200
2500
300
1500
200
500
100
1000
500
200
500
350
19850

BALTIMORE CITY, to wit:

THE STATE OF MARYLAND,

To the Sheriff of Baltimore City, Greeting:

Whereas, *Irvin Butler*

of Baltimore City, has come into the Superior Court of Baltimore City, and found sufficient sureties, as well for his clamor to prosecute, as for the following property, viz:

- ✓ 1 brass bed with springs + mattress
- ✓ 1 mattress bugget (front bedroom)
- ✓ 1 white enamel bed with springs + mattress
- ✓ 1 carpet, 2nd floor bedroom (back)
- ✓ 3 rugs (bathroom)

200
100
100
100
100

the property of him the said *Irvin Butler*

which *Martha Gassaway* of said

City, has taken and unjustly detain against sureties and pledges, as it is said, to be returned, if the return thereof shall be required. We therefore command you that the

to the said *Irvin Butler* *Property* aforesaid

to be replevied and delivered you cause; and that you summon the said *Martha Gassaway*

that she be and appear before the Superior Court of Baltimore City, at the Court House in the same City, on the second Monday of *October* next, to answer unto the said

of a plea of taking and unjustly detaining the *Property* aforesaid; and how you shall execute this writ, that you make known to the Superior Court of Baltimore City aforesaid, at the day and place aforesaid, and have you then and there this writ.

WITNESS, the Honorable MORRIS A. SOYER, Chief Judge of the Supreme Bench of Baltimore City, the *12* day of *September*, 19*21*.

ISSUED. *Ce* day of *October*, 19*21*.
Stephen C. Little

CLERK.

283
23
100
100
100
100
100

You have been summoned to appear in Court on the second Monday of 192.... Personal attendance in Court on the day named is not required; but, unless within such number of days thereafter as the law limits, legal defense is made to the above mentioned suit, a judgment by default may be entered against you.

No. 223 ⁹⁶⁸/₁₉₂₁ Su. Ct.

James Butler

⁸⁰ vs. *Martha Gassaway*

\$1005

Writ of Replevin

J. Steward Davis
Attorney for Pltff

Sheriff took \$10.00 for 10/2/21

Filed OCT 10 1921 day of 19....

Replevied and delivered as per Schedule herewith returned. Eloigned as to the remainder of the property mentioned in writ. Defendant summoned and Copy left.

Thomas F. M. Kelly
Sheriff.

1149



Know all Men by these Presents,

THAT WE *Irvin Butler, Harry Queen & George E. Cooper*

all of Baltimore City, in the State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of *Six Hundred Dollars* Dollars, current money, to be paid to the said State, its certain Attorney or Assigns to the payment whereof well and truly to be made and done, we bind ourselves, and each of us, our and every of our Heirs, Executors, and Administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this *6* day of *October*

in the year of our Lord one thousand nine hundred and *ninety one*

WITEREAS, the above bound *Irvin Butler*

about to issue out of the Superior Court of Baltimore City, a Writ of Replevin, to the Sheriff of Baltimore City,

commanding him to replevy *1 oak closet, 1 set dishes, 1 oak ice box, 1 dining room table (oak) 4 oak dining room chairs, 1 matting drugget (dining room floor), 1 set dishes (1 in dining room side board), 1 parlor matting drugget, 1 plush parlor seat, 1 brass stand with marble slab, 1 glass mirror (parlor), 1 gas range, 1 oil cloth covering, kitchen, 1 brass stand with marble slab, 1 brass bed with springs and mattress, 1 matting drugget (front bedroom), 1 white enameled bed with mattress & springs, 1 carpet, 2nd bedroom (2nd floor) 3 rugs (bath room) 3/4 ton coal, 4 loads of wood, Morris chair, 6 ear chairs*

the property of the said *Irvin Butler*

which *Martha Gassaway*

has taken and unjustly detain, &c.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound

Irvin Butler

do and shall well and truly prosecute the said Writ of Replevin with effect, and also shall and will return the *Property* aforesaid, if the same be adjudged, and in all things stand to, abide by, perform and fulfill the Judgment of the Court in the premises, then the above obligation to be void, else to be and remain in full force and virtue in law.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

John A. Campbell

Irvin Butler [SEAL]

Harry Queen [SEAL]

George E. Cooper [SEAL]

16 10 Waller St Val 1000.00
12 4 26.322 20 1/2 An Val 1700.00 [SEAL]

329

329

968
1921

No. 223 Su. Ct.

Quinn Butler

TO THE
STATE OF MARYLAND.

Bond for Replevin.

The within Bond and Securities approved
by me this 6th day
of October, 1921..
Stephen C. Little
Clerk of the Superior Court of Baltimore City.
Filed 6th day of Oct, 1921..

State of Maryland, Baltimore City, Sct.

I HEREBY CERTIFY, that on this..... day of Oct, 1921,
personally appeared before me, the subscriber, a Deputy Clerk of the Superior Court of Baltimore City,
..... Admiral C. Weston & George E. Kasper.....
the sureties in the within Bond, and made oath in due form of law, that they are severally residents of the City
of Baltimore, in the State of Maryland, and are each respectively worth \$. 6000.00..... over and above all
debts, dues, demands and incumbrances whatever, against their besides property exempt by law from execution.

Mr. W. [Signature]

Deputy Clerk.

for Record.
OCT 7 1921 at 10 o'clock, a
m. Recorded in Liber
S. C. L. No. 3 Folio 329, &c.
one of the aka Bond records of
Baltimore City and examined,
per Stephen C. Little Clerk.

[NAR IN REPLEVIN.]

In the Superior Court of Baltimore City.

BALTIMORE CITY, TO WIT:

Irvin Butler

by J Stewart Davis his attorney sue

Marta Gassaway

for that the said Defendant in the City of Baltimore, State of Maryland, seized and took the goods and chattels of the said Plaintiff, to wit:

1 oak china closet, 1 set dishes, 1 oak ice box, 1 dining room table (oak), 4 oak dining room chairs, 1 matting rug (dining room floor), 1 set dishes (in dining room sideboard), 1 parlor matting rug, 1 plush parlor suit, 1 brass stand with marble slab, 1 glass mirror (parlor), 1 gas range, 1 oil cloth covering (kitchen), 1 brass bed with springs and mattress, 1 matting rug (fronted room), 1 white enamel bed with springs & mattress, 1 carpet, 2nd bedroom (2nd floor) 3 rugs (bathroom) 3/4 ton coal, 4 loads wood, 1 Morris chair, 6 line checkers

all of which is located in the City of Baltimore, State of Maryland, of the value of Three Hundred Dollars

dollars current money, there then found and being; and unjustly detained the same in the City and State aforesaid against sureties and pledges, until, etc.; whereupon the said

say he injured, and has sustained damage to the value of Three Hundred Dollars dollars lawful money, and thereupon he bring suit, etc.

J Stewart Davis Attorney for Plaintiff

To Marta Gassaway the Defendant named in the within declaration.

TAKE NOTICE.—That on the day of your appearance to this action a rule will be entered requiring you to plead to said declaration within fifteen days thereafter.

J Stewart Davis Attorney for Plaintiff

9

2/25/1930

You have been summoned to appear in Court on the second Monday of..... 192..... Personal attendance in Court on the day named is not required; but, unless within such number of days thereafter as the law limits, legal defense is made to the above-mentioned suit, a judgment by default may be entered against you

No. 223 968
IN THE 1921
Superior Court of Baltimore City.

Irvin Butler

BOX No. 2201 Plaintiff
vs.

Martha Gessaway

Defendant

STEPHEN C. LITTLE,
Clerk of the Superior Court of Baltimore City.

Issue in this case, and send copy of the declaration and notice, with the writ, to be served on the defendant and make the writ returnable on the second Monday of.....

Oct 11 1921

J. Stewart Davis
Plaintiff's Attorney.

Filed 6 day of Nov 1921