

IN THE CIRCUIT COURT OF  
BALTIMORE CITY.

*Original*  
*B 413*

JAMES BUTLER *1927*

VS.

JULIA BUTLER

*B 32151*

BILL FOR DIVORCE.

Mr. Clerk:-

Please file.

*Davis & Evans*  
ATTORNEYS FOR PLAINTIFF

DAVIS & EVANS  
ATTORNEYS AT LAW

*7d 25 Aug 1927*



May it please your Honor to grant unto your Orator  
the Order of Publication directed against the said Julia Butler,  
a nonresident of the State of Maryland, 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



Original

DAVIS & EVANS, SOLICITORS  
215 ST. PAUL PLACE,  
IN THE CIRCUIT COURT OF BALTIMORE CITY.  
JAMES BUTLER VS. JULIA BUTLER  
ORDER OF PUBLICATION.

B 413  
1927

The object of this Bill is to procure a Divorce A Vinculo Matrimonii by the plaintiff, James Butler, from the defendant, Julia Butler.

The bill states that the parties were married on the 13th day of May, 1914 and lived together until the 26th day of December 1914 when the defendant deserted the plaintiff. That though the conduct of your Orator toward the said defendant 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 said 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. That your Orator has not lived or cohabited with the said defendant since said desertion. That there are no children born as result of said marriage. That your Orator is a citizen of the State of Maryland but the defendant is a non-resident of the State of Maryland.

It is thereupon ordered by the Circuit Court of Baltimore City this 26<sup>th</sup> day of August 1927 that the plaintiff by causing a copy of this order to be inserted in some daily newspaper published in Baltimore City once a week for four successive weeks before the 26 day of Sept. 1927, give notice to the absent defendant of the object and substance of this bill, warning her to be and appear in this Court in person or by Solicitor on or before the 13 day of October, 1927 to show cause, if any she may have, why a decree should not be passed as prayed.

True Copy Test

Chas R. Whitford  
Clerk

au 274 3, 10, 17

Eugene O. Dune



In The Circuit Court Of  
Baltimore City.

B 413  
1927

\*\*\*\*\*

James Butler  
1516 - Pa. Ave.  
vs

Julia Butler

\*\*\*\*\*

Answer

B 32151  
\*\*\*\*\*  
(3)

Mr. Clerk:

Please file, etc.

\*\*\*\*\*

9d 22 Sept 1927

William E. Thomas  
Sol for Defendant  
109 East Pleasant St.  
Calvert 0973

James Butler \*  
\*  
vs \* In The Circuit Court  
\*  
Julia Butler \* Of  
\* Baltimore City.  
\*

\*\*\*\*\*

To The Honorable the Judge of said court:

Your Oratrix responding to the plaintiff's bill of complaint respectfully states as follows:

FIRST <sup>That</sup> She admits the marriage, but further denies the desertion in paragraph one of the plaintiff's bill of complaint.

SECOND <sup>That</sup> She admits the matter and facts alleged in paragraphs three and four of the plaintiff's bill of complaint.

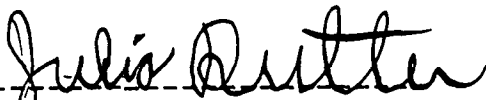
THIRD <sup>That</sup> She denies the matter and facts alleged in paragraph two of the plaintiff's bill of complaint and says to the contrary that she has been a chaste, affectionate and dutiful wife to her husband. That he willfully deserted and abandoned her and does not provide for her maintenance and support.


FOURTH <sup>That</sup> -- She admits that her husband is a citizen of the State of Maryland and on the contrary says that she is also a resident of the City of Baltimore Md. and not a non-resident of the City of Baltimore, Md. as alleged in the fifth paragraph of the plaintiff's bill of complaint.

Having answered all the material allegations in due time she prays this Honorable Court to dismiss the plaintiff's bill of complaint with its reasonable costs.

And such other and further relief as in Equity her cause may require.

And as in duty bound, etc.

  
Defendant

  
Sol. for Defendant



B 413  
1927

In The Circuit Court Of  
Baltimore City

\*\*\*\*\*

James Butler  
1516 - Pa. Ave  
vs

Julia Butler

\*\*\*\*\*

B 32151  
(4)

Petition for Alimony and  
Counsel's Fee

\*\*\*\*\*

Mr. Clerk:

Please file, etc.

\*\*\*\*\*

William E. Thomas  
Sol. for Defendant.  
109 East Pleasant St.  
Calvert 0973

9d. Sept 1927



James Butler \*  
\*  
vs \* In The Circuit Court  
\* Of  
Julia Butler \* Baltimore City.  
\*

\*\*\*\*\*

To The Honorable, the Judge of said court:

The petition of the defendant Julia Butler respectfully states as follows:

FIRST -- That on or about August 25, 1927 James Butler her husband filed in this court his bill of complaint charging her with abandonment and desertion and asking for a Divorce A Vincula Matrimonii.

SECOND -- That your petitioner Julia Butler is in destitute circumstances without means to support herself and to make her defense against the aspersions and attacks made by her husband in these proceedings. That her husband is in the bakery business earns or capable of earning fifty dollars per week.

Wherefore your petitioner prays this Honorable Court to grant her Alimony Pendente Lite, Permanent Alimony for her maintenance and support and a reasonable sum for her solicitor in this cause.

And such other and further relief as in Equity her cause may require.

And as in duty bound, etc.

Julia Butler  
Petitioner

William E. Thomas  
Sol. for Petitioner.

State of Maryland, Baltimore City, to wit:

This is to certify on this 22nd day of September, in the year nineteen hundred and twenty seven, before me the subscriber a notary public of the State of Maryland in and for Baltimore City aforesaid, personally appeared Julia Butler the petitioner and made oath in due form of law that the matters and facts stated in the foregoing petition are true to the best of her knowledge and belief.

Witness my hand and notarial seal.

U. Grant Tyler  
Notary Public

B 413  
1927

B Docket 413  
1927

CIRCUIT COURT No. 2

James Butler  
1516 Penna Ave  
vs.

Julia Butler  
1516 Penna Ave

Order Counsel Fee and Alimony  
Pendente Lite  
Husband Plaintiff

ORDER

No. 32151 B.  
(5)

Filed 22 Sept 1927  
14

copy of the within Order of Court served  
on James Butler on the 24<sup>th</sup> day of September  
1927 in presence of Joseph H. Zylowsky  
John C. Carter  
sheriff

Dec \$0.75

RECEIVED AT  
THE SHERIFFS OFFICE ON  
SEP 23 1927 9 20 AM

CIRCUIT COURT NO. 2

*James Butler*

vs.

*Julia Butler*

IN THE  
CIRCUIT COURT ~~NO. 2~~

OF

BALTIMORE CITY

*September*, TERM, 192*7*

ORDERED BY THE COURT, this *22<sup>nd</sup>* day of *September* 192*7*

that the Plaintiff

pay to the Defendant

the sum of

*James Butler*  
*Julia Butler*  
*Sixteen*

Dollars as Counsel Fee for the

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

*Fifty*

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

*Julia Butler*

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

day of

*October* 192*7*

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

*James Butler*  
day of *September* 192*7*

on or before the

*29*

*H. Arthur Stump*

TRUE COPY—TEST:

Clerk.



IN THE CIRCUIT COURT OF

BALTIMORE CITY.

*413/1927 67B*

JAMES BUTLER

VS.

JULIA BUTLER

*B 32151*

*Answer to*  
PETITION. *(2)*

Mr. Clerk:-

Please file.

*Davis & Evans*  
ATTORNEYS FOR PLAINTIFF

DAVIS & EVANS  
ATTORNEYS AT LAW

*Filed Sept 1927*

JAMES BUTLER : IN THE CIRCUIT COURT  
VS. : OF  
JULIA BUTLER : BALTIMORE CITY.

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TO THE HONORABLE, THE JUDGE OF SAID COURT:

The answer of the plaintiff to the petition for alimony and counsel fee in this cause exhibited, respectfully says:

That he denies with great emphasis the allegation that he makes or is able to make fifty dollars per week and says on the contrary, that he, because of the business depression, makes little more than enough to keep his business going.

WHEREFORE; YOUR PETITIONER PRAYS:

That an order for alimony be passed in accordance with his earning capacity.

  
\_\_\_\_\_  
ATTORNEYS FOR PLAINTIFF

*James Butler*

vs.

*Julia Butler*

IN THE  
**Circuit Court**  
OF  
BALTIMORE CITY



3/12/51

# Circuit Court

4/3  
1927

B Docket 67

James Butler  
vs.

Julia Butler

B 32/51

Petition for leave to take  
Testimony and Order of  
Court thereon

"frnk"

No. ....

Filed 27 Sept 1927

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

THE PETITION OF *James Butler,* .....

*Plaintiff,* .....

in this case, respectfully shows that *he* desire *s* to take testimony in this case, and  
respectfully prays that leave be granted *him* to do so before one of the Standing  
Examiners of this Court.

*David Evans*  
Solicitor for *plaintiff*

ORDERED, this *27<sup>th</sup>* day of *September* 192 *7*, 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.

*H. Arthur Stump*

*James Butler*

vs.

*Julia Butler*

IN THE  
**Circuit Court**  
OF  
BALTIMORE CITY

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

THE PETITION OF *James Butler,*

*Plaintiff,*

in this case, respectfully shows that *he* desire *s* to take testimony in this case, and respectfully prays that leave be granted *him* to do so before one of the Standing Examiners of this Court.

*David Evans*  
Solicitor for *Plaintiff*

ORDERED, this *27<sup>th</sup>* day of *September* 192 *7*, 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.

*H. Arthur Stamp*



3/12/51

# Circuit Court

4/3  
1927

B Docket 67

James Butler  
vs.

Julia Butler

B 32/51

Petition for leave to take  
Testimony and Order of  
Court thereon

"Junk" 16

No. ....

Filed 27 Sept 1927

Circuit Court  
of  
Baltimore City

DOCKET B. 413/1927

IN THE CIRCUIT COURT

James Butler

vs.

Julia Butler

DEPOSITIONS

No. 32157

PLAINTIFF'S COSTS

Examiner \$

Copies

Notices

Sheriff

Stenographer

\$

DEFENDANT'S COSTS

Examiner \$

Copies

Notices

Sheriff

Stenographer

\$

GEORGE ARNOLD FRICK, Examiner

Filed 18 day of Oct 1927

.....  
.....James Butler.....  
.....vs.....  
.....Julia Butler.....  
.....

**In the Circuit Court** \_\_\_\_\_  
**OF BALTIMORE CITY**

.....  
.....The above entitled 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, GEORGE ARNOLD FRICK, 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  
.....27th.....day of.....September....., 1927....., met on  
the.....4th.....day of.....October.....in the year nineteen  
hundred and twenty-.....seven....., at my office, in the City of Baltimore, in the  
State of Maryland, and assigned the.....5th.....day of.....October.....  
in the same year at.....12.30.....o'clock in the.....after.....noon and the  
office of.....the Examiner.....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.....s.....of the  
.....respective parties.....to take the following depositions, that  
is to say:



TESTIMONY taken at the office of George Arnold Frick, Examiner on Wednesday October 5th, 1927, at half past twelve o'clock in the afternoon.

Present: Davis & Evans, Counsel for Plaintiff.  
Jm.E.Thomas, Counsel for Defendant.

Thereupon:

JAMES BUTLER, the plaintiff, produced as a witness on his own behalf, being first duly sworn, deposes and saith as follows, that is to say -

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- James Butler, 1516 Pennsylvania Avenue, baker.

2 Q- You are the plaintiff in this proceeding?

A- Yes, sir.

3 Q- How long have you known your wife, the defendant?

A- Since about six months before I married her.

BY MR. EVANS:

4 Q- When were you married Mr. Butler?

James Butler.

A- I was married May 13th, 1914.

5 Q- Where?

A- At 533 W.Biddle Street, Baltimore City.

6 Q- By a minister of the Gospel?

A- By a minister of the Gospel, Reverend Curtis.

7 Q- You were married to Julia Butler?

A- Julia Butler.

8 Q- You lived with her until how long?

A- Until she left me. The day after Christmas, the same year.

9 Q- Did you leave her or did she leave you?

A- She left me. I remained at the same residence for about two years afterwards - that was 533 W.Biddle Street.

10 Q- Did you give your wife any cause to leave and desert you?

A- No cause at all.

11 Q- Were you always a kind, loving and faithful husband?

A- Always.

12 Q- Did you always treat her as a husband should treat a wife?

A- Always.

13 Q- Did you always support her?

A- Always supported her while she was there.

James Butler.

14 Q- You kept your home open there if she came back?

A- Yes, sir.

15 Q- Have you seen her since the desertion in 1914?

A- The last time I laid eyes on her was during war times.

16 Q- Where was she living?

A- Down on Schroeder Street somewhere.

17 Q- Did you know whether or not she was in the City at the time you filed this suit?

A- I never seen her or heard of her.

18 Q- Did you hear she was out of the City?

A- I thought she was. I had been around considerable lot and I never ran across her anywhere. I didn't know where to put my hands on her at any time.

19 Q- Your wife has since answered this Bill for Divorce that you filed against her and asks for some allowances of alimony. Of course, you have taken care of that?

A- Yes, sir.

20 Q- Were there any children born as a result of this marriage?

A- No children.

21 Q- Do you think there is any hope of a reconciliation?

A- Absolutely none.

22 Q- There is no possibility of your living together again?

James Butler.

A- Absolutely none.

23 Q- Has she been away from you from December 26th, 1914 until today?

A- She has.

24 Q- You have never lived or cohabited with her since?

A- Never. No sexual intercourse - nothing at all. I never contributed a cent to her support or in any way been affectionate to her since she left me.

25 Q- Are you a resident of Baltimore City, State of Maryland?

A- Yes.

26 Q- How long have you been a resident of the City of Baltimore and State of Maryland?

A- I was born here and I have lived here ever since then.

27 Q- At the time you filed your Bill for Divorce you thought she was out of the City?

A- Yes, sir.

28 Q- And you gave her no cause at all to desert and abandon you?

A- Absolutely none.

-----  
To Cross Examination

QUESTION BY THE EXAMINER:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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.

Answer: *No James A. Butler*



EDWARD HUDGINS, a witness of lawful age, produced on behalf of the plaintiff, being first duly sworn, deposed and saith as follows, that is to say-

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- Edward Hudgins, 525 McMechen Street, tailor.

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

A- Yes, sir.

3 Q- How long have you known them?

A- Well, since around 1914.

BY MR. EVANS:

4 Q- Did you know Mr. and Mrs. Butler when they were living together on Middle Street?

A- I wasn't familiar with Mrs. Butler but I knew Mr. Butler.

5 Q- Did you know that he was married to Julia Butler - I mean from common everyday knowledge?

A- Yes, sir.

6 Q- They were always known and recognized in the community in which they lived as husband and wife?

A- Yes, sir.

7 Q- Mr. Butler sued his wife for a divorce and charges

Edward Hudgins.

her with desertion. Do you know whether she deserted him or he deserted her?

A- From what I can understand she deserted him.

8 Q- Do you know when?

A- No, I don't.

9 Q- Approximately - do you think it was around December 26th, 1914?

A- Yes, around that.

10 Q- You met her after she married him?

A- Yes, sir.

11 Q- You know him before 1914?

A- Yes, sir, I knew him and his father before him.

12 Q- How did he always treat his wife?

A- As far as I saw he was always a very good husband to her.

13 Q- Was he a husbandly sort of a fellow?

A- Oh, yes.

14 Q- Did he take care of his home?

A- Yes, sir.

15 Q- Did he give her any cause to leave him?

A- Not that I could see.

16 Q- Has he lived or cohabited with her since the desertion in 1914?

A- No.

17 Q- Do you think there is any hope or expectation

Edward Hudgins.

of their living together again as man and wife?

A- I do not.

18 Q- Was her leaving him her deliberate and final act?

A- Yes, sir.

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

A- No.

20 Q- Is Mr. Butler a citizen of the State of Maryland and Baltimore City?

A- Yes, sir.

21 Q- Do you know whether she is or no, now?

A- No, I do not.

22 Q- How long has Mr. Butler been a resident of the State of Maryland and City of Baltimore?

A- To my knowledge since 1913.

-----  
110 Cross Examination

QUESTION BY THE EXAMINER:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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.

Answer:

*Edward Higgins*



No other witnesses being named or produced before me, I then at the request of the Solicitor s. of the respective parties closed the depositions taken in said cause, and now return them closed under my hand and seal on this 18<sup>th</sup> day of October in the year of our Lord nineteen hundred twenty-seven at the City of Baltimore, in the State of Maryland.

George Arnold Frick  
Examiner. SEAL

There are no Exhibits with these depositions, to wit:  
Plaintiff's Exhibit

Defendant's Exhibit

George Arnold Frick  
Examiner.

I, GEORGE ARNOLD FRICK, 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.

George Arnold Frick  
Examiner.

413  
1927

Circuit Court

B Docket 67

James Butler

vs.

Julia Butler

SUBMISSION FOR DECREE.

Mr. Clerk,  
Please file,

David Evans

Solicitor for Plaintiff.

No. B 32151  
19

Filed 18 Oct 1927

*James Butler*

*vs.*  
*Julia Butler*

*In the Circuit Court  
of Baltimore City*

*Sept*

TERM 1927

To the Honorable

\_\_\_\_\_  
Judge of Said Court:

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Davis Evans*

Solicitor for Plaintiff,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ )

*William E. Thomas*

Solicitor for Defendant.

Circuit Court

413  
1927 B Docket No. 67

James Butler

vs.

Julia Butler

Order of Reference  
and Report

Cor

B No. 32151  
(10)

Order Filed 18 day of Oct 1927

Report Filed 19 day of Oct 1927

*James Butler*  
vs.  
*Julia Butler*

IN THE  
**Circuit Court**  
OF  
BALTIMORE CITY

*Sept* Term, 1927

This case being submitted, without argument, it is ordered by the Court, this *18th* day of *October*, 1927, that the same be and it is hereby referred to *Ward B Cor*, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

*H. Arthur Stump*

**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, secs. 37-42.*  
*Defendant answers by solicitor - authority in writing.*  
*Plaintiff's residence in Baltimore City for more than two years proven.*  
*The marriage proven.*  
*The abandonment for three years, its finality and the irreconcilability of the parties proven.*  
*More than thirty days have elapsed since the filing of the bill.*  
*Case submitted and ready for decree.*

*Ward B Cor*  
Auditor and Master  
October 19th, 1927



11  
CIRCUIT COURT

B 413  
1927

No. 67 Docket

JAMES BUTLER

VS.

JULIA BUTLER

Recorded  
Folio 301 1927

Decree of Divorce

B No.

32151  
11

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

*Manly B. Cox*

Auditor and Master.

Fd 20 Oct 1927



**Circuit Court**

OF

BALTIMORE CITY,

..... JAMES BUTLER .....

VS.

..... JULIA BUTLER .....

..... *September* ..... Term, 1927.

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

It is thereupon, this *20* day of *October*, A. D. 1927.

by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said - - - - -  
- - - - - James Butler - - - - -  
the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the  
Defendant, **the said Julia Butler.**

And it is Further Ordered, That the said complainant - - - - -  
pay the cost of this proceeding.

*H. Arthur Stump*