

IN THE CIRCUIT COURT OF
BALTIMORE CITY.

*B 222
1926*

JAMES CANNON

VS.

MARY CANNON

918 M Scully St

B 60

30691

BILL FOR DIVORCE

47

Mr. Clerk:-

Please file.

Lewis Edwards

ATTORNEYS FOR PLAINTIFF

J. STEWARD DAVIS
ATTORNEY AT LAW
215 SAINT PAUL PLACE

BALTIMORE, MD.

Filed 19 May 1926

JAMES CANNON : IN THE CIRCUIT COURT
VS. : OF
MARY CANNON : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

1. That he was married to his wife, Mary Cannon on the 15th day of January, 1896 and with whom he resided until the 1st day of March 1912, when the defendant deserted the plaintiff.
2. 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 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 ever since said marriage your Orator has behaved himself as a faithful, chaste and affectionate husband toward the said Mary Cannon.
4. That the said Mary Cannon has on divers days and times since said marriage, committed the crime of adultery with divers, lewd and abandoned men, whose names are unknown to your Orator, and said offense has not been condoned by your Orator.
5. That your Orator has not lived or co-habited with said defendant since he discovered her said adulteries and since said desertion.
6. That there are no children born as issue of said marriage.

7. 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:

(a) That your Orator may be divorced A Vinculo Matrimonii from the said Mary Cannon.

(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 Mary Cannon, 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.

p592

Ct. Ct.

B-222
192⁶

Docket No.

James Cannon

vs.

Mary Cannon

918 McGullough

SUBPOENA TO ANSWER BILL OF COMPLAINT

Pw

No.

B-30691

(2)

(3)

Filed

14 June

192⁶

fd. 12th July 1926

Davis & Evans

SOLICITOR

10

*Non Est
Bueby*

*John E. Potee
Sheriff*

June 14 1926
Return Day 1926
Chas R Whiteford
Clerk

*Non Est
Bueby*

*John E. Potee
Sheriff*

EQUITY SUBPOENA

The State of Maryland

TO MARY CANNON

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

JAMES CANNON

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 May, 1926. Issued the 19th day of May, in the year 1926.

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.

Ct. Ct.

192

Docket No.

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

Filed....., 192.....

SOLICITOR

EQUITY SUBPOENA

The State of Maryland

To MARY CANNON

918 McCulloh Street

(copy)

REISSUED TO July June 14 1926
Return Day, 1926
Chas R Whiteford
Clerk

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

JAMES CANNON

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 May, 1926.
Issued the 19th day of May, in the year 1926.

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.

3/13/2/94

IN THE CIRCUIT COURT OF
BALTIMORE CITY

222
1936

JAMES CANNON

VS.

MARY CANNON

publication

Mr. Clerk:-

Please file.

Davis Evans

ATTORNEYS FOR PLAINTIFF

B 30691

(4)

DAVIS & EVANS
ATTORNEYS AT LAW

2d 4" Oct 1936

JAMES CANNON

:

IN THE CIRCUIT COURT

VS.

:

OF

MARY CANNON

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of James Cannon, plaintiff in the above entitled cause, respectfully represents to your Honor.

1. That on or about the 19th day of May, 1926 your petitioner filed a petition in this Honorable Court praying among other things, a divorce A Vinculo Matrimonii.

2. That two summons have been issued for the defendant at her last known address and returned non est by the Sheriff of Baltimore City.

3. That your petitioner desires to have an order of publication issued.

WHEREFORE YOUR PETITIONER PRAYS:

(a) That an Order of Publication be issued against the defendant requiring her to be in this Court on some day certain to be named therein.

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



ATTORNEYS FOR PLAINTIFF.

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

The object of this Bill is to procure a divorce a Vinculo Matrimonii by the plaintiff from the defendant.

The bill recites that the parties were married on the 15th day of January, 1896 and lived together until the first day of March, 1912 when the defendant deserted the plaintiff. That both parties are residents of Baltimore City but that two summons sent to the defendant's last known residence have been returned non est by the Sheriff of Baltimore City.

That though the plaintiff was kind and affectionate the defendant deserted him without any just cause or reason and declared her intentions to live with him no longer and that the separation has continued uninterruptedly for more than three years and is deliberate and final and beyond reconciliation. That there are no children born as issue of said marriage. That ever since said marriage your Orator has behaved himself as a faithful, chaste and affectionate husband toward the said Mary Cannon. That the said Mary Cannon has on divers days and times since said marriage, committed the crime of adultery with divers, lewd and abandoned men and said offense has not been condoned by your Orator.

It is thereupon ordered by the Circuit Court of Baltimore City this 4 day of *October* 1926, 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 4th day of *Nov* 1926, 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 20th day of *Nov* 1926, to show cause, if any she may have, why a decree should not be passed as prayed.

Edmund

192.....

Docket No. 222
1926

James Cannon

vs.

May Cannon

Certificate of Publication

B30691
(5)

THE DAILY RECORD
Filed 18 day of Feb 1927.

THE DAILY RECORD

Baltimore, OCT 26 1926, 1926

Davis & Evans, Solicitors,
215 St. Paul Place
IN THE CIRCUIT COURT OF BALTIMORE CITY — (B—222—1926) — James Cannon vs. Mary Cannon.

ORDER OF PUBLICATION

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

The bill recites that the parties were married on the 15th day of January, 1896, and lived together until the first day of March, 1912, when the defendant deserted the plaintiff. That both parties are residents of Baltimore City, but that two summons sent to the defendant's last known residence have been returned "non est" by the Sheriff of Baltimore City.

That though the plaintiff was kind and affectionate the defendant deserted him without any just cause or reason and declared her intentions to live with him no longer and that the separation has continued uninterrupted for more than three years and is deliberate and final and beyond reconciliation. That there are no children born as issue of said marriage. That ever since said marriage your orator has behaved himself as a faithful, chaste and affectionate husband toward the said Mary Cannon. That the said Mary Cannon has on divers days and times since said marriage, committed the crime of adultery with divers, lewd and abandoned men and said offense has not been condoned by your orator.

It is thereupon ordered by the Circuit Court of Baltimore City, this 4th day of October, 1926, 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 4th day of November, 1926, 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 20th day of November, 1926, to show cause, if any she may have, why a decree should not be passed as prayed.

ELI FRANK.

True Copy—Test

CHAS. R. WHITEFORD,
Clerk.

05.12.19.26

We hereby certify that the annexed advertisement of Order Publication Circuit Court

of Baltimore City, Case of

James Cannon
vs. Mary Cannon

was published in THE DAILY RECORD, a daily newspaper published in the City of Baltimore, once in each of

four successive weeks before the 4th day of November, 1926

First insertion October 5th, 1926

THE DAILY RECORD

Per George B. Law

222-1926

B 222

Ct. Ct.

1926

Docket

James Cannon

vs.

Mary Cannon

Decree Pro Confesso.

no profit

B 30691

No. (6)

Filed 18 March 1927

James Cannon

vs.

Mary Cannon

IN THE
Circuit Court
OF
BALTIMORE CITY.

March 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 18 day of March 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.

Nunc pro tunc is of the 1st day of September 1926.

James P. Gorter

Circuit Court

322
19 26

Docket No. 366

James Cannon

vs.

Mary Cannon

**Order of Reference
and Report**

Lyons

B No. 30691
187

Order Filed 7 day of June 1927
Report Filed day of 19

James Cannon

vs.

Mary Cannon

IN THE
Circuit Court

OF
BALTIMORE CITY

Jan

Term, 1927

7th

This case being submitted, without argument, it is ordered by the Court, this day of *March*, 1927, that the same be and it is hereby referred to *Wm P Lyons*, 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; Section 37-42.

After the return of two successive non ests, the defendant was proceeded against as a non-resident.

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.

June 17, 1927.

CIRCUIT COURT

B-222-----
1926 No. Docket

-----JAMES CANNON-----

VS.

-----MARY CANNON-----

Decree of Divorce

B No.-----

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

William P. Lyons

Auditor and Master.

Davis Evans

James Cannon
vs
Mary Cannon

Circ Ct. B 222
1926

1926

May 19

Bill filed alleges (1) marriage Jan 15/96 - lived together until March 1/12 - when deft deserted plff (2) abandonment 3 yrs. (3) plffs conduct o.k. (4) sanity of deft (5) no condonation (6) no children (7) plff & deft citizens of Tenn - Va. B. City, more than 3 yrs before suit filed - Plaintiff at divorce annulo (6) for the relief & support 126

June 14

Summons to June Ret day - non est - moved to 6

July 12

July Ret Day 1/27 - non est

Oct 4

Order of publication on 22 on Ests - 4 insertions before Oct 4/26 - with day Nov 20/26

1927

March 18

Copy of pub. filed 14th insertion Oct 4/26

" "

Decree pro confesso - same pro term as of the 14th day of Sep. 1926

June 6

Testimony filed proves allegations of bill on ground of abandonment

" 7

Order of reference

O.K. June 17/27 10 days after return of testimony - has clause at end of decree pro confesso - same pro term & restriction
Notified 6/10

212471

.....JAMES CANNON.....

vs.

.....MARY CANNON.....

WILLIAM P. LYONS
ATTORNEY AT LAW
818-822 FIDELITY BUILDING

In the Circuit Court.....
OF BALTIMORE CITY

Docket...B-1926.. Page.222...

.....June 17,..... 192 7

Fee of Auditor and Master in' above case - - - - - \$...9..00

Received payment,

.....
Auditor and Master.

Doc. B $\frac{222}{1926}$

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

James Cannon
vs.
Mary Cannon

No. 30691B

PLAINTIFF'S COSTS

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

DEFENDANT'S COSTS

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

9d6 June 1927

James Cannon

vs.
Mary Cannon

In the Circuit Court
OF BALTIMORE CITY.

A Decree Pro Confesso 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 ^{made pro tunc} of the above named Circuit Court, passed in said cause on the eighteenth day of March 1927, met on the third day of September in the year nineteen hundred and twenty-six at my office, in the city of Baltimore, in the State of Maryland, and assigned the third day of September 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:—

8-5-8
B.S.

JAMES CANNON

V

MARY CANNON

Testimony taken before me, A. deRussy
Sappington, Examiner, at my offices in the Title Bldg
Baltimore, Md. on September 3, 1926, at 3. 00 o'clock
in the afternoon.

Mr. J. S. Davis appeared for the Plaintiff.

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Thereupon---

JAMES CANNON,
the plaintiff, of lawful age, produced on his own
behalf, 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 James Cannon, 2800 Reese Street, United Rail ways

Q Do you know the parties to this suit?

A I am the plaintiff and my wife is the defendant.

By Mr. Davis:

Q When, where and by whom were you married?

A On January 15, 1896, in Denton, Md., by a
Minister of the Gospel.

Q Are you living with your wife now?

A No, sir. She left me four times, and the last time was on March 1st, 1912. We haven't lived together since the last separation?

Q Did you ever give your wife any just cause to leave you on any occasion?

A No, sir, I did not. This last time I went to work and when I came home she was gone, and so was everything else in the house. I tried to get her back again, but she said she wasn't going to live with me any more.

Q Since your marriage have you been a kind, affectionate and faithful husband at all times?

A Yes, sir.

Q Has this separation continued uninterruptedly for more than three years prior to the filing of this bill?

A Yes, sir, since March 1, 1912.

Q Is the separation deliberate and final and without any hope of reconciliation?

A It is, yes, sir. She wont come back.

Q Are there any children as result of your marriage?

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, sir, I have.

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

*is
James Carr
man*

*Test
A. Sullivan*

Thereupon---

CHARLES HOLMES,

a witness of lawful age, produced on behalf of the plaintiff, 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 Charles Holmes, 815 E. Stirling St., laborer.

Q Do you know the parties to this suit?

A Yes, sir.

By Mr. Davis:

Q Did you frequently visit them while they lived together as husband and wife?

A Yes, sir.

Q Were they known among their friends, relatives and acquaintances as husband and wife?

A Yes, sir.

Q Since the marriage has Mr. Cannon been a kind, affectionate and faithful husband?

A He certainly has, and he always supported her.

Q Did he give his wife any just cause to leave him?

A No, sir, he never did, but she used to leave him at any time. She left four times, and the last time was March 1, 1912. She just took her clothes and left

while he was at work, and wouldn't come back at all.
He tried to get her back.

Q Has the separation continued uninterruptedly for more than three years prior to the filing of this bill?

A Yes, sir, ever since March 1, 1912.

Q Is the separation deliberate and final and without any hope of reconciliation?

A Yes, sir.

Q Are there any children as result of this marriage?

A No, sir.

Q How long has Mr. Cannon been a resident of the City of Baltimore, State of Maryland?

A For the last thirty years, continuously.

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

Charles Holmes

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

M. D. Morfix.....(SEAL)
Special Examiner.

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

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

M. D. Morfix
Special 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.....*ten*.....days, on.....*both*.....of which I was employed by the Plaintiff....., and on.....*none*.....by the Defendant.....

M. D. Morfix
Special Examiner.