

IN THE CIRCUIT COURT OF

BALTIMORE CITY.

64 B 375

EDWARD JAMES

VS.

ANNIE T. JAMES

1018 McCulloch St

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

Davis & Evans
ATTORNEYS FOR PLAINTIFF.

B 27092

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

June 1924

EDWARD JAMES : IN THE CIRCUIT COURT
VS. : OF
ANNIE T. JAMES : BALTIMORE CITY.

TO THE HONORABLE ,THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

1. That he was married to his wife, Annie T. James on the 13th day of August, 1918 and with whom he resided until the 10th day of December, 1918, when the defendant deserted the plaintiff.
 2. That though the conduct of your Orator toward the said Annie T. James, 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 there are no children as issue of said marriage.
 4. That your Orator has not lived or co-habited with the said defendant since said desertion.
 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 of Complaint.
- TO THE END, THEREFORE:
- (a) That your Orator may be divorced A Vinculo Matrimonii from the said Annie T. James.
 - (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 Annie T. James, 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.

Javis Evans
SOLICITORS FOR COMPLAINANT.

P 283

192 ^{375/64} ₄ Docket No. Ct. Ct.

Edward James

vs.

Annie T. James

~~1018 N. Callahan~~

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

B Pro
2709 *H*

Filed

(2) (13)
14 July 1924
Darr & Evans
SOLICITOR
12 Aug 1924
10 22471

705 Sarah
1/2 Silver

Tom Est
(Buckey)

Tom Est
(Buckey)

John C. Potter
Sheriff

John C. Potter
Sheriff

7/14 1924

RETURNED TO AUGUST RETURN DAY, 1924

Thomas W. Whiteford
Clerk

EQUITY SUBPOENA

The State of Maryland

On

Annie T. James

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

Edward James

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 **12th** day of **May** 192 **4,**
Issued the **9th** day of **June** in the year 192 **4,**

Charles F. Stein 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.)

Ct. Ct.

192

Docket No.

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

Filed

192

SOLICITOR

EQUITY SUBPOENA

The State of Maryland

To

Annie T. James

Seal

7/14 1924
RETURNED TO August Return Day, 1924
Charles 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 July next cause an appearance to be entered for you and your answer to be filed to the complaint of

Edward James

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 12th day of May 1924,
Issued the 9th day of June in the year 1924.

Charles F. Stein 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.

64 B 375

EDWARD JAMES

VS.

ANNIE T. JAMES

Mr. Clerk:-

Please file.

J. Steward Davis

ATTORNEY FOR PLAINTIFF

B 27092
(4)

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

J. Steward Davis

EDWARD JAMES : IN THE CIRCUIT COURT
VS. : OF
ANNIE T. JAMES : BALTIMORE CITY.

The petition of Edward James, complainant, respectfully shows unto your Honor:

(1)

That on or about the 9 day of *June* 1924, he filed in this Honorable Court a bill for divorce against his wife, Annie T. James.

(2)

Successive non est were entered on it by the Sheriff of Baltimore City.

(3)

The plaintiff is advised by counsel that he may petition this Honorable Court to grant unto him the order of publication directed against the said Annie T. James, commanding and requiring her to be and appear in this Honorable 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.

Davis T. Evans
ATTORNEYS FOR PLAINTIFF.

DAVIS & EVANS, SOLICITORS
215 ST. PAUL PLACE
IN THE CIRCUIT COURT OF BALTIMORE CITY.
EDWARD JAMES VS. ANNIE T. JAMES
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 13th day of August, 1918 and lived together until about the 10th day of December, 1918 when the defendant deserted the plaintiff. That there are no children as issue of said marriage; that the conduct of the plaintiff toward the said defendant has always been kind, affectionate and above reproach, that the defendant without any just cause or reason abandoned and deserted the plaintiff and has declared her intentions to live with him no longer; that said abandonment has continued uninterruptedly for more than three years and is deliberate and final; that there is no hope or expectation of reconciliation. That the plaintiff has been a citizen of the State of Maryland for more than three years prior to the filing of this bill of complaint, that the defendant is a resident but two summons have been directed against said defendant at her last known residence, 1018 McCulloh Street and were returned non est.

It is thereupon this ¹⁵ day of *August* 1924, ordered by the Circuit Court of Baltimore City that the plaintiff by causing a copy of this order to be published in Baltimore City in each of four successive weeks in some daily newspaper before the ¹⁶ day of *September* 1924, giving 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 ⁴ day of *October* 1924 to show cause, if any she may have, why a decree should not be passed as prayed.

James P. Gorter

375
192...4 *Bly* Docket No.....

James

vs.

James

Certificate of Publication

B27092

5

THE DAILY RECORD
Filed..... day of *Dec* 192...4

THE DAILY RECORD

Davis & Evans, Solicitors,
215 St. Paul Place.

IN THE CIRCUIT COURT OF BALTIMORE CITY—(B-375-1924)—Edward James vs. Annie T. James.

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 13th day of August, 1918, and lived together until about the 10th day of December, 1918, when the defendant deserted the plaintiff. That there are no children as issue of said marriage; that the conduct of the plaintiff toward the said defendant has always been kind, affectionate and above reproach, that the defendant, without any just cause or reason, abandoned and deserted the plaintiff and has declared her intentions to live with him no longer; that said abandonment has continued uninterrupted for more than three years and is deliberate and final; that there is no hope or expectation of reconciliation. That the plaintiff has been a citizen of the State of Maryland for more than three years prior to the filing of this bill of complaint; that the defendant is a resident, but two summonses have been directed against said defendant at her last known residence, 1018 McCulloh street, and were returned non est.

It is thereupon this 15th day of August, 1924, ordered by the Circuit Court of Baltimore City that the plaintiff, by causing a copy of this order to be published in Baltimore City in each of four successive weeks in some newspaper before the 18th day of September, 1924, giving 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 4th day of October, 1924, to show cause, if any she may have, why a decree should not be passed as prayed.

JAMES P. GORTER.

True Copy—Test:

CHAS. R. WHITEFORD,
Clerk.

au19,26s2,9

Baltimore, SEP 9 - 1924, 192.....

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

of Baltimore City, Case of

Edward James

vs. Annie T. James

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

four successive weeks before the 18th day of September, 1924

First insertion Aug 19th, 1924

THE DAILY RECORD

Per. [Signature]

375

Ct. Ct.

1924

Docket

Edward James
vs

Annie T. James.

Decree Pro Confesso.

B 27092

No.

Sept 14

Filed 1 Dec 1924

Edward James
vs.

Annie T. James

IN THE
Circuit Court
OF
BALTIMORE CITY.

Nov.

Term, 1924

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 *12th* day of *December* in the year nineteen hundred and *twelve* 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 said 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.

Charles F. Owen

STATE OF MARYLAND,
BALTIMORE CITY, SCT :

I hereby certify that on this _____ day of _____ 19____ before me, the subscriber, a Notary Public, of the State of Maryland, in and for the City aforesaid, personally appeared _____ and made oath in due form of law that her (his) husband (wife) the defendant in the above entitled case is not in the Military or Naval service of the United States Government, to the best of her (his) knowledge, information and belief.

As Witness my hand and Notarial Seal.

Notary Public.

Doc. B $\frac{375}{1924}$

3/13/176

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Edward James

vs.

Annie S. James

No. 27092B

PLAINTIFF'S COSTS

Examiners.....	<u>7</u>	\$.....
Copies.....	
Sheriff.....	
Stenographer.....	
		\$ <u> </u>
		=====

DEFENDANT'S COSTS

Examiners.....		\$.....
Copies.....	
Sheriff.....	
Stenographer.....	
		\$ <u> </u>
		=====

fd 5 Feb 1925

Edward James

vs.

Annie L. James

In the Circuit Court

OF BALTIMORE CITY.

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 viture of an order of the above named Circuit Court, passed in said cause on the

first day of December 1924, met on

the first day of December in the year nineteen hundred and twenty-four at my office, in the city of Baltimore, in the State

of Maryland, and assigned the first day of December

in the same year at two o'clock in the afternoon and the

office of Messrs. Davis & Evans, Esq., in the City and State

aforsaid, 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:—

8-3
EDWARD JAMES

VS.

ANNIE T. JAMES

Testimony taken at the offices of Mr. J. Stewart Davis, Courtland Street, Baltimore, Md., on December 1st, 1924, at 2 o'clock in the afternoon.

Thereupon---

EDWARD JAMES,

the plaintiff, of lawful age, produced in his own behalf, having been first duly sworn according to law, was examined and testified as follows:

1Q (By the Examiner): Please state your name, residence and occupation?

A. Edward James, 1532 McCoolough Street; presser.

2Q Do you know the parties to this suit or either of them?

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

3Q (By Mr. Davis): When, where and by whom were you married?

A. August 13, 1918, Baltimore, Md., by a Minister

of the Gospel.

4Q You lived with your wife?

A. Yes.

5Q Where did you live with your wife?

A. 1018 McCullough Street.

6Q How long did you live with your wife?

A. Five months.

7Q Did you go anywhere else?

A. No, we lived there the whole period.

8Q You charge your wife with desertion?

A. Yes, sir.

9Q When did she desert you?

A. In the month of December---December 10, 1918.

10Q How did you treat your wife?

A. Like a husband should treat a wife. I was nice and affectionate and took care of her.

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

A. I was.

12Q Did you provide a home for her?

A. I did.

13Q Did you support and maintain her as a husband should?

A. I did.

14Q Which left the other---you are not living together now?

A. No, sir, she left me.

15Q You say this was December 10, 1918?

A. Yes.

16Q When she left what did she do and say?

A. She came up and took her clothes and said she was going, and not coming back any more.

17Q When was this?

A. That evening, the 10th of December, 1918.

18Q Did you give her any cause or reason for leaving you?

A. No, no cause whatever.

19Q Have you seen her since she left you?

A. No, sir.

20Q Where did she say she was going?

A. She did not tell me at the time.

21Q Are you a resident of the State of Maryland?

A. I am.

22Q How long have you been a resident of Baltimore, State of Maryland?

A. About 8 years.

23Q Do you know whether your wife is a resident of the State of Maryland or not?

A. I do not think she is now, I am not sure.

24Q You understand two summons were issued for her and returned non est at the last residence?

A. Yes.

25Q Are you willing to provide for your wife if you can find her?

A. I am.

26Q Have you always been willing?

A. I have.

27Q. Have you been able to communicate with your wife since the separation?

A. No, sir.

28Q Have you tried to find her?

A. I have.

29Q And you have been unsuccessful?

A. Yes, sir.

30Q Any children as issue of this marriage?

A. No children.

31Q Any hope of a reconciliation?

A. No, sir.

32Q Have you lived with or cohabited with your wife since December, 1918?

A. No, sir, I have not.

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.---

W. J.
Edward Jones.

Thereupon---

J. W. SMITH,

a witness of lawful age,. produced in behalf of the plaintiff, having been first duly sworn according to law, was examined and testified as follows:

1Q (By the Examiner): Please state your name, residence and occupation?

A. J. W. Smith, 1532 McCullough Street; barber.

2Q Do you know the parties to this suit or either of them?

A. Yes.

3Q (By Mr. Davis): Are they husband and wife?

A. Yes.

4Q How long have you known them?

A. Mr. James about six years.

5Q Were they always known and recognized in the community in which they lived as husband and wife?

A. They were.

6Q Were you a close friend of the family?

A. Yes.

7Q You visited them at their home?

A. Yes.

8Q Do you know anything about the alleged desertion?

A. On the afternoon that she left he came by the shop and told me, and asked me to come up, and I went up to the house and saw no female clothes around---none of her things.

9Q Did you see her trunk?

A. No, sir.

10Q You say that on the afternoon she left he told you, and asked you to come to his house?

A. Yes.

11Q And you went up?

A. Yes.

12Q And didn't see her or her trunk?

A. No, sir.

13Q Was the house torn up?

A. Yes, to a certain extent.

14Q Have you seen or heard of her since the alleged desertion in December, 1918?

A. No, sir.

15Q Is Mr. James a resident of the State of Maryland?

A. Yes.

16Q And has been for how long?

A. Ever since I have known him.

17Q How long have you known him?

A. About six years.

18Q Is Mrs. James a resident of the State of Maryland?

A. I do not know that.

19Q You have not heard of her since she left?

A. No, sir.

20Q When was the last time you saw Mrs. James?

A. The last time was a couple of days before she left.

21Q Did she say anything to you about leaving at that time?

A. No.

22Q Do you think there is any hope of reconciliation?

A. No, it does not seem possible.

23Q Has he lived or cohabited with his wife since the time of the desertion?

A. No, not that I know of.

24Q And you say he is a resident of the State of Maryland?

A. Yes, sir.

25Q How did he treat his wife, was he always a kind, affectionate and faithful husband?

A. Yes, sir.

26Q Did he provide a good home for her?

A. Yes.

27Q Did they seem to get along all right?

A. Yes.

28Q Was he attentive to her?

A. He was.

29Q To your knowledge do you think there was any justification in her leaving, did he give her any cause?

A. No cause.

30Q Was her going her own deliberate and final act?

A. Yes, sir.

31Q Any children as result of the marriage?

A. No.

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

J. W. Smith

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.....*5th*..... day of *February*..... in the year of Our Lord nineteen hundred and.....*twenty four*..... at the City of Baltimore, in the State of Maryland

A. de Russy Sappington (SEAL).
Examiner.

There are.....*no*..... Exhibits with these depositions, to wit:
Plaintiff's..... Exhibit.....*1*.....

Defendant's..... Exhibit.....*1*.....

A. de Russy 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.....

A. de Russy Sappington
Examiner.

Circuit Court

375
1924

Docket No. B64

Edward James

vs.

Annis J James

Order of Reference
and Report

B 27 09 2

No.
Coe 187

Order Filed 10 day of July 1925
Report Filed day of 192

Edward James

vs.

Annie T. James

IN THE
Circuit Court

OF
BALTIMORE CITY

Jan

Term, 1925

10^o

This case being submitted, without argument, it is ordered by the Court, this day of February 1925 that the same be and it is hereby referred to Ward B. Coe Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

George A. Satter

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. 36-41.

Defendant proceeded against by publication after two successive returns of non est.

Plaintiff's residence in Baltimore City for more than two years proven. Proof also shows defendant's last known residence to have been in Baltimore City and that her present residence is unknown.

The marriage proven.

The abandonment for three years, its finality and the irreconcilability of the parties proven.

A decree pro confesso was passed against the defendant and more than thirty days have since elapsed.

Case ready for decree.

Ward B. Coe

Auditor and Master.

February 16, 1925.

CIRCUIT COURT

B. 375
1924

No. 64 Docket

EDWARD JAMES

VS.

ANNIE T. JAMES

Recorded

Folio 36 1925

Decree of Divorce

B No. 27092

(9)

Feb. 25, February 1925

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

Maud B. Cox

Auditor and Master.

