

IN THE CIRCUIT COURT

OF
64 B 196
BALTIMORE CITY.

IRVING W. FINKS *1924*

VS.

MINNIE L. FINKS

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

J. Steward Davis
George W. Evans
ATTORNEYS FOR PLAINTIFF

B26742

(1) (2)
J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

(A 21/1/1924)

IRVING W. FINKS : IN THE CIRCUIT COURT
VS. : OF
MINNIE L. FINKS : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents;

1. That he was married to his wife, Minnie L. Finks on the 28th day of November, 1919, in Salem, New Jersey and with whom he resided until the 18th day of August, 1920, when the defendant deserted the plaintiff.
2. That though the conduct of your Orator toward the said Minnie L. Finks 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 is one child as issue of said marriage, James Edward Finks, age four years and eight months now in the custody of the defendant.
4. That your Orator has not lived or co-habited with the said defendant since said desertion.
5. That your Orator is a citizen of the State of Maryland residing in Baltimore City for more than two years prior to the filing of this bill, but that the defendant is a non-resident of the State of Maryland and when last heard of was in the State of New Jersey.

TO THE END, THEREFORE:

(a) That your Orator may be divorced A Vinculo Matrimonii from the said Minnie L. Finks.

(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 Order of Publication directed against the said Minnie L. Finks, a non-resident of the State of Maryland, aforesaid, 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.

J. Steward Davis

George W. Evans

ATTORNEYS FOR PLAINTIFF.

J. STEWARD DAVIS & GEORGE W. EVANS, SOLICITORS

215 ST. PAUL PLACE

IN THE CIRCUIT COURT OF BALTIMORE CITY

IRVING W. FINKS VS. MINNIE L. FINKS

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 28th day of November, 1919 in Salem, New Jersey and lived together until the 18th day of August, 1920 when the defendant deserted the plaintiff. That there is one child as issue of said marriage, James Edward Finks, age four years, and eight months. That the defendant is a non-resident of the State of Maryland and when last heard of was in the State of New Jersey. That though the conduct of your Orator toward the said defendant has always been kind, affectionate and above reproach, she deserted her husband without any just cause or reason 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 and the separation of the parties is beyond any reasonable 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.

It is thereupon this 21 day of March 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, once in each of four successive weeks, before the 27 day of April 1924, give notice to the absent defendant, Minnie L. Finks, 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 9 day of May 1924 to show cause, if any she may have, why a decree should not be passed as prayed.

W. L. F. Finks

~~196~~
1924 B Docket No. ~~64~~

Jenke

vs.

Jenke

B26742

Certificate of Publication

{ 3 }

THE DAILY RECORD
Filed *9th* day of *May* 192*4*

THE DAILY RECORD

J. Steward Davis & George W. Evans, Sols.,
215 St. Paul Place.

IN THE CIRCUIT COURT OF BALTIMORE CITY—(B—195—1924)—Irving W. Finks vs. Minnie L. Finks.

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 28th day of November, 1919, in Salem, New Jersey, and lived together until the 18th day of August, 1920, when the defendant deserted the plaintiff. That there is one child as issue of said marriage, James Edward Finks, age four years and eight months. That the defendant is a non-resident of the State of Maryland and when last heard of was in the State of New Jersey; that though the conduct of your orator toward the said defendant has always been kind, affectionate and above reproach, she deserted her husband without any just cause or reason 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 and the separation of the parties is beyond any reasonable 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.

It is thereupon this 21st day of March, 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, once in each of four successive weeks, before the 22nd day of April, 1924, give notice to the absent defendant, Minnie L. Finks, 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 9th day of May, 1924, to show cause, if any she may have, why a decree should not be passed as prayed.

CHARLES F. STEIN.

CHAS. R. WHITEFORD,

Clerk

True Copy—Test:

mh22,29ap5,12

Baltimore, APR 1 2 1924, 192.....

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

of Baltimore City, Case of

Irving W. Finks
vs. *Minnie L. Finks*

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

four successive weeks before the *22nd* day of *April*, 192*4*

First insertion *Mar-22nd*, 192*4*

THE DAILY RECORD

Per *Alexander H. Pitzel*

196
64 13

Ct. Ct.

1924

Docket B 26742

Finck

vs.

Finck

Decree Pro Confesso.

B26742

Supp. No. *(4)*

Filed 10th May 1924

Irving W. Finks

vs.

Minnie S. Finks

IN THE
Circuit Court

OF
BALTIMORE CITY.

March

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 *10th* day of *May* in the year nineteen hundred and twenty *four* 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.

Charles H. Allen

196
19 *24* *Bld* Circuit Court
Docket No.

Irving W. Jenks

vs.

Minnie S. Jenks

Order of Reference
and Report

July 25, 1924

B 26742

No.

Robertson *67* ✓

Order Filed *15* day of *July* 19*24*
Report Filed.....day of.....19

Irving W. Finks

VS.

Minnie S. Finks

IN THE
Circuit Court

OF

BALTIMORE CITY

May July Term, 1924

14

This case being submitted, without argument, it is ordered by the Court, this day of July, 1924, that the same be and it is hereby referred to Alexander H. Robertson, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Charles H. Stein

Report of Auditor and Master

Bill filed by husband against wife for a divorce a vinculo matrimonii for abandonment for three years
Code Art 16.5.36

Order of publication against defendant as a non resident no appearance decree pro confesso thirty days default
Proof shows marriage residence of plaintiff non residence of defendant and abandonment of plaintiff for at least three years continuous deliberate and without hope of reconciliation Case ready for decree
Alexander H. Robertson
Auditor and Master

CIRCUIT COURT

B 196
1924

No. 64 Docket

Hinks

VS.

Hinks

Recorded

Folio 215 1924

Decree of Divorce

B No. 26742

(7)

Ed. 25" July 1924

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

Abel Robertson

Auditor and Master.

IN THE

Circuit Court

OF

BALTIMORE CITY

Irvin H. Finks

VS.

Minnie L. Finks

July

Term, 192*4*

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

It is thereupon, this *25th* day of *July*, A. D. 192*4* by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

Irvin H. Finks

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, *Minnie L. Finks*

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

Charles F. Steen

3/13/68

Doc. B ¹⁹⁶/₁₉₂₄

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Jessie M. Luiko

vs.

Minnie L. Luiko

No. 26742B

PLAINTIFF'S COSTS

Examiners.....	\$ <u>5.00</u>
Copies	_____
Sheriff.....	_____
Stenographer	_____
	\$ _____
	=====

DEFENDANT'S COSTS

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

fd 15 July 1924

Irving M. Finks

vs.

Minnie L. Finks

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 virtue of an order of the above named Circuit Court, passed in said cause on the twelfth day of May 1924, met on the twelfth day of June in the year nineteen hundred and twenty-four at my office, in the City of Baltimore, in the State of Maryland, and assigned the thirteenth day of June in the same year at one-thirty o'clock in the after-noon and the office of J. Stewart Davis, 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:—

IRVING W. FINKS

VS.

MINNIE L. FINKS.

Testimony taken at the offices of Mr. J. Stewart Davis, 215 Saint Paul Place, Baltimore, Md. on Friday, June 13th, 1924, at 1:30 o'clock in the afternoon. Thereupon---

IRVING W. FINKS,

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

1. (By the Examiner): What is your name, residence and occupation?

A. Irving W. Finks, 1731 McCulloh Street, Post Office Clerk.

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

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

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

A. Thanksgiving, November 28, 1919, at Salem, N.J. by a Minister of the Gospel.

4. To whom?

8.3
/d

IRVING W. FINKS

VS.

MINNIE L. FINKS.

Testimony taken at the offices of Mr. J. Stewart Davis, 215 Saint Paul Place, Baltimore, Md. on Friday, June 13th, 1924, at 1:30 o'clock in the afternoon. Thereupon---

IRVING W. FINKS,

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): What is your name, residence and occupation?

A. Irving W. Finks, 1731 McCulloh Street, Post Office Clerk.

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. Thanksgiving, November 28, 1919, at Salem, N.J. by a Minister of the Gospel.

4Q To whom?

A. Minnie L. Lee.

5Q You charge your wife with abandonment and desertion, state what you know about it?

A. She refused to live here with me and said she was going home to New Jersey to be with her mother.

6Q When was this?

A. In July 1920.

7Q What did she do and say on the day she left?

A. She just said she was going home because she did not want to live here, and she wanted to be home with her mother. That was in July 1920.

8Q Have you seen her since that time?

A. Yes, I visited the child when he was sick. That was in August 1920.

9Q At that time did you speak to her relative to the separation?

A. Yes and she refused to come back to Baltimore with me when I requested her to return. She said she would not return.

10Q Did she give you any reason?

A. None other than that she didn't want to live here.

11Q Have you seen her since August 18, 1920?

A. No.

12Q Have you talked with or corresponded with her

since August 1920?

A. No.

13. Have you lived with or cohabited with her since the date of the alleged desertion?

A. No.

14. How did you treat your wife?

A. Like a husband should.

15. Were you always loving, kind and affectionate?

A. Yes.

16. Any children as a result of the marriage?

A. One; James Edward, age four years.

17. Who has the custody of this child?

A. My wife has.

18. Have you contributed anything toward its support since she left?

A. No.

19. Has she requested you to do so?

A. No.

20. Have you offered to do so?

A. Yes.

21. And she refused it?

A. She did.

22. 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.

23Q Were you willing to provide for your wife at the time of the separation?

A. Yes, I have always been willing to so do.

24Q Are you willing to take her back?

A. Yes.

25Q Have you offered to do it?

A. Yes, and she refused.

26Q Do you think that the separation is deliberate and final, and beyond any expectation of reconciliation?

A. Yes.

27Q Are you willing to provide for the support of the minor child?

A. Yes.

28Q Will she accept it?

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
Isrving W. Finkes.

Thereupon---

EMILY S. FINKS,

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): What is your name, residence and occupation?

A. Emily S. Finks, 1731 McCulloh Street, clerk.

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

A. Yes, I know them, I am his sister.

3Q (By Mr. Davis): Were you present at their wedding?

A. No.

4Q Do you know that they were married?

A. Yes.

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

A. Yes, they were.

6Q They resided at your home up until the time of the separation?

A. They did.

7Q He charges his wife with desertion, do you know anything about it?

A. The day she left him was the day I had returned from being out of the city, and I asked her where she was going and she said she was going home. I asked her would she return and she said no, I do not care to live in Baltimore. She said he will either live in New Jersey, or I won't live in Baltimore.

8. When was this?

A. July 1920.

9. Have you seen or talked with her since the separation?

A. One time, in September 1920, at my house, 1731 McCulloh Street.

10. What did she say or do on that occasion?

A. I asked her to return, and live with my brother, and she refused.

11. What was her occasion of the visit to your house?

A. She came to see mother. She said she would not return, and if he wanted her he would have to live in New Jersey.

12. Have they any children?

A. One, James Edward, four years old.

13. How did he treat his wife, was he always kind and affectionate to her?

A. Yes.

14. Did he support her?

A. Yes.

15Q Did he always treat her as a husband should treat a wife?

A. Yes.

16Q Did he provide for the support and maintenance of the child?

A. Yes.

17Q And she refused to live with him because he would not go to New Jersey, and told him so?

A. Yes sir.

18Q Has he lived or cohabited with her since the separation August 1920?

A. No.

19Q In your opinion is the separation of the parties beyond all hope of a reconciliation?

A. Yes, it is.

20Q What has been his conduct both before and since the separation?

A. His conduct has been all that it should be.

21Q Do you know of your own personal knowledge whether he has offered to support her or the child since the separation?

A. Yes, He has.

22Q Has he always expressed a willingness to support

her and the child?

A. Yes. He has always wanted the custody of the child. She has refused to grant it, and she still refuses.

23. When she was last heard of where was she?

A. In New Jersey.

24. Is the plaintiff a resident of Baltimore City, State of Maryland, and has he been for two years prior to the filing of this suit?

A. He has been for the last four years.

25. Is the defendant a resident of Baltimore, State of Maryland?

A. No.

26. You feel that there is no reasonable expectation of reconciliation between them?

A. No, there is none.

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

Emily S. Furke.

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.....*15th* day of *July* in the year of Our Lord nineteen hundred and *twenty-seven* at the City of Baltimore, in the State of Maryland.

A. de Russey Sappington (SEAL).
Examiner.

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

Defendant's..... Exhibit */*

A. de Russey 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 *now* by the Defendant.....

A. de Russey Sappington
Examiner.