

3/12/1927

In The Circuit Court
of B 162
Baltimore Md 1927

Frank Johnson

vs

Condelea Johnson

Bill for Divorce & Vinculo

Mr (B) please file

(J. Steward) Davis
att

B 20 773

(1)

J. STEWARD DAVIS
ATTORNEY AT LAW

118 E. LEXINGTON STREET
BALTIMORE, MD

fd 17 March 1927

Frank Johnson

In The Circuit Court

vs.

of

Cordelia Johnson

Baltimore City.

To The Honorable , The Judge of Said Court:

Your Orator, complaining, respectfully states:

FIRST, That the parties hereto were married, January 1st. 1889, by Rev. Hercules Ross, a methodist minister, in Baltimore city, state of Maryland; and they lived together as man and wife until March 15th. 1898.

SECOND, That Your Orator is a resident of the city of Baltimore, state of Maryland, and has been for more than two years prior to the filing of this bill of Complaint; that the respondent is also a resident of the city of Baltimore, state of Maryland.

THIRD, That though the conduct of Your Orator towards his wife has always been kind, affectionate, and above reproach, she, without just cause or reason, wilfully abandoned and deserted Your Orator and has declared her intentions to live with him no longer; that such abandonment has continued uninterruptedly for more than three years prior to the filing of this bill of Complaint and was deliberate, final and beyond any reasonable hope or expectation of reconciliation.

FOURTH, That Your Orator has never condoned nor forgiven the said desertion, and that he has never co-habited with the said respondent since the said desertion.

FIFTH, That there are no children, born as a result of said marriage.

WHEREFORE YOUR ORATOR PRAYS:

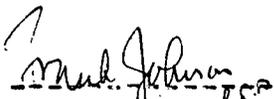
That a decree be passed, divorcing Your Orator from the respondent, a vinculo matrimonii.

Such other and further relief as the case may require.

May it please Your Honor to grant unto Your Orator a writ of subpoena, directed unto the said respondent, commanding

her to be or appear in this Court on some day certain, to be named therein, to perform such decree as may be passed in the premises.

As in duty bound etc.



Complainant



Solicitor for Complainant.

EQUITY SUBPOENA
The State of Maryland

162 ³⁴ Bto
1920 Ct. Ct.
Docket No.

Johnson
Johnson
Cordelia Johnson 1107 Russell
SUBPOENA TO ANSWER BILL OF COMPLAINT

Pro
B
No. 20773

(2)
4 March 1920
J. Stewart Lewis
SOLICITOR

Summoned and a copy of the Process left with the
Defendant
(F. W. M. Kelly)
Thomas F. W. M. Kelly
Sheriff
Fee \$0.50

EQUITY SUBPOENA

The State of Maryland

To

Cordelia Johnson

of Baltimore City, Greeting:

WE COMMAND AND ENJOIN YOU, that all excuses set aside, you be in your person before the Circuit Court of Baltimore City, at the Court House in said City, on the second Monday of *April* 192*0*, to answer the complaint of

Frank Johnson

against you in said Court exhibited.

HEREOF fail not, as you will answer the contrary at your peril:

WITNESS, the honorable MORRIS A. SOPER, Chief Judge of the Supreme Bench of Baltimore City, the *5* day of *March* 192*0*

Issued the *17* day of *March* in the year 192*0*.

Chas R Whiteford Clerk.

Notice to the person summoned:

"Personal attendance in Court on the day named in the above writ is not required; but unless within fifteen (15) days after the return day, legal defense is made in the above mentioned suit a Judgment by default may be entered against you."

162
162
1912 Bko Ct. Ct.
Docket

Frank Johnson
vs.

Cordelia Johnson

Decree Pro Confesso.

Case No.
B 20473
(3)
Filed 17 April 1918



IN THE
Circuit Court
OF
BALTIMORE CITY.

Frank Johnson

vs.

Cordelia Johnson

January March Term, 1920

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 *17th* day of *April* in the year nineteen hundred and *twenty* 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.

Robert F. Stanton

STATE OF MARYLAND,
BALTIMORE CITY, SCT :

I hereby certify that on this *17th* day of *April* 19 *20* before me, the subscriber, a Notary Public, of the State of Maryland, ~~in and for the City~~ aforesaid, personally appeared *Frank Johnson* 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.

Frank Johnson

Arthur M. Royer
Notary Public.



Docket B. 162/1920

IN THE CIRCUIT COURT

Frank Johnson

VS

Cordelia Johnson

DEPOSITIONS

No. 20773

(4)
PLAINTIFF'S COSTS

Examiner..... \$ 8.00

Copies

Notices

Sheriff

Stenographer 2.00

\$ 10.00 Paid.

DEFENDANT'S COSTS

Examiner..... \$

Copies

Notices

Sheriff

Stenographer

\$

ALFRED J. CARR, Examiner

Filed 28 day of April 19

20

Frank Johnson

vs.

Cordelia Johnson

In the Circuit Court

OF BALTIMORE CITY

A Decree Pro Confesso having passed,

and notice having been given me by the Solicitor for the **Plaintiff** of a desire to take testimony in the same, I, ALFRED J. CARR, 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 17th day of April 1920, met on the 19th day of April in the year nineteen hundred and twenty at my office, in the City of Baltimore, in the State of Maryland, and assigned the 22nd day of April in the same year at ten o'clock in the fore 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 of the **Plaintiff** to take the following deposition, that is to say:—

April 23rd, 1920.

FRANK JOHNSON, the Plaintiff produced in his own behalf, being duly sworn, deposes and saith as follows:

BY THE EXAMINER:

1Q. State your name, residence and occupation.

A- Frank Johnson, 605 Bradley Street, Baltimore, and I am a cold-water Painter and calsominer.

2Q. Who are the parties to this suit?

A- I am the Plaintiff, and Cordelia Johnson is my wife.

BY MR. DAVIS:

3Q. When, where and by whom were you married?

A- On January 1st, 1889, by the Reverend H. Ross, a Methodist Minister, at his house, at the corner of Conway and Little Poca Sts., Baltimore, Maryland.

4Q. Were any children born of this marriage?

A- None.

5Q. Have you or not been a resident of the City of Baltimore State of Maryland, for more than two years prior to March, 1920?

A- Yes, I have been here all my life.

6Q. Is or not your wife a resident of the City of Baltimore State of Maryland?

A- Yes, she has been here all her life, as far as I know.

7Q. Does she live here now?

A- Yes.

Frank Johnson

8Q. Are you now living together with your wife?

A- No.

9Q. When did you separate, and which one left the other?

A- We separated March 15th, 1898, and she left me and went away.

10Q. What was your conduct and treatment towards your wife during the whole of your married life?

A- I did as aman should to his wife, I was kind, and supported her, and ddd everything that was necessary, and was faithful and affectionate in every respect.

11Q. How did she treat you?

A- She was indifferent.

12Q. Where were you living at the time she abandoned you?

A- On South Eutam Street, Baltimore, Maryland.

13Q. What caused the separation on ~~that~~ day, March 15th, 1898, when she left you?

A- I came home from work. I work with Albert Johnson and Son now, and I worked for them then. She was not in, and I made the fire. She then came in, and I asked her where she had been. She said she had been out to buy something, and that she was going to Atlantic City the next day. The next day she went. She said she was leaving for good, and said " I will never be back any more".

14Q. Did she go to Atlantic City?

A- Yes.

Frank Johnson

15Q. Since that day in March, 1898, as you have described it, and she went to Atlantic City, has she ever returned?

A- No, she has never returned to me.

16Q. Have you lived with or cohabited with her since then?

A- No.

17Q. Has she in any way sought to come back to you?

A- No.

18Q. Have you or not seen or learned anything about your wife since she left you?

A- I have seen her on the street, and I spoke to her. I have seen her in company with a gentleman friend over a hundred times ^{since} /she left me. I have been told of her relations with him.

19Q. What have people told you about that?

A- They have told me that they were friends, and they went around to different houses and stayed all night.

20Q. Has the abandonment of you by your wife continued uninterruptedly for at least 3 years prior to March, 1920?

A- Yes, it has been ever since March, 1898.

21Q. Was the abandonment her own deliberate and final act?

A- Yes, it certainly was. She did it of her own will.

22Q. Is there any reasonable hope or expectation of a reconciliation?

A- None.

- - - - -

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*

Frank M. Johnson

HETTY JOHNSON, a witness produced on behalf of the Plaintiff, being duly sworn, deposes and saith as follows:

BY THE EXAMINER:

1Q. State your name, residence and occupation, if any.

A- Hetty Johnson, 180 W. Hamburg Street, Baltimore, and I take in work and do washing & ironing and domestic work.

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

A- Yes, the Plaintiff is my brother, and Cordelia Johnson is my sister-in-law.

BY MR. DAVIS:

3Q. Are they or not man and wife, and if you say they are, tell me how you know it.

A- I was not present at the marriage, but I know they were married and lived together as man and wife, and that was their reputation. They lived together from the time they were married until 1898, for about ten years.

4Q. Were they not known among their friends and neighbors as being a married couple, and was that their reputation?

A- Everybody knew they were married.

5Q. Were any children born of this marriage?

A- No.

6Q. Have or not both these parties been residents of the City of Baltimore, State of Maryland, for more than two years prior to March, 1920?

Hetty Johnson

A- Yes, my brother has lived here all his life, and she has also, except when she went away for a time. She lives in Baltimore City now.

7Q. When did they separate and which one left the other?

A- She left him in 1898.

8Q. How do you know that?

A- They were living together, and he came home and told us that she had left him and said she was not coming back, and then moved to our house and lived with us, and she has never come back to him.

9Q. Since the separation and your brother came to live at your house, have you seen or had any talk with your sister-in law?

A- I have seen her and talked with her, but she never talked of him, and of going back with him.

10Q. What do you know of her behavior since she left?

A- I do not know anything of my own knowledge, but I have seen her on the street with men, and I have heard people speak of one of them being her friend.

11Q. Has your brother lived with or cohabited with her since she left in 1898?

A- No, he has not. I know that.

12Q. Was or not, from your observations, your brother a good, true and faithful and chaste loving and kind husband to his wife?

Hetty Johnson

A- Yes. He certainly was. He was good to her, and provided her with a good home, and did everything that a man should do.

13Q. How did she treat him?

A- She was indifferent, and she spent most of her time out of the house, when he was at work. He often came home and had to get his meals at her house. She did not abuse him. She was always indifferent, and acted as though she did not care for him.

14Q. Has the abandonment of Mr. Johnson, your brother, by his wife, continued uninterruptedly for at least three years prior to March, 1920?

A- Yes, very much over three years.

15Q. Was the abandonment her own deliberate and final act?

A- Yes, it was. She had no reason to leave him.

16Q. In your opinion, is there any reasonable hope or expectation of a reconciliation?

A- None. She likes other men, and she would not come back.

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* *Nethy Johnson*

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 **28th** day of **April** in the year of our Lord nineteen hundred **and twenty** at the City of Baltimore in the State of Maryland.

Alfred J. Carr 
Examiner.

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

Defendant's Exhibit

Alfred J. Carr
Examiner.

I, ALFRED J. CARR, 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.

Alfred J. Carr
Examiner.

Circuit Court

162
19 20 *Blev* Docket No.

Frank Johnson

vs.

Cordelia Johnson

Order of Reference
and Report

Che
20773

No.

(5)

Order Filed *10* day of *May* 19 *20*
Report Filed *N^o* day of *July* 19 *20*

Frank Johnson

vs.

Cordelia Johnson

IN THE
Circuit Court
OF
BALTIMORE CITY

May Term, 19

This case being submitted, without argument, it is ordered by the Court, this 10th day of May, 1920, that the same be and it is hereby referred to Ward B. Cue, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Robert F. Stanton

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the husband against his wife on the ground of abandonment. Code 1911, Art. 16, secs. 36-41.

Defendant summoned.

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.

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

Case ready for decree.

Ward B. Cue

Auditor and Master.

Fee \$9 paid.

June 14th, 1920.

B162
1920

Vincenik Court

Frank Johnson

vs.

Cordelia Johnson

Petitioner

B20773

(6)

J. STEWARD DAVIS
ATTORNEY AT LAW
118 E. LEXINGTON STREET
BALTIMORE, MD.

Feb 14 1920

Frank Johnson

In The Circuit Court

Vs.

of

Cordelia Johnson

Baltimore City.

To The Honorable, The Judge of Said Court:

For that on April 17, 1920 a decree Pro Confesso in the above stated case was signed by this Honorable Court, for that said decree should have been signed April 28th. per provision of code.

For that testimony was taken per authority of decree Pro Confesso signed April 17, 1920. Your petition prays this Honorable Court that a decree Pro Confesso as of April 28th., be signed and that testimony as taken be considered the testimony as taken under subsequent decree Pro Confesso.



Attorney For Plaintiff.

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Ct. Ct.

1920.

Docket

60 B.

FRANK JOHNSON

vs.

CORDELIA JOHNSON.

Decree Pro Confesso.

B 20773

No.

77

Filed

14 June 1920

FRANK JOHNSON

vs.

CORDELIA JOHNSON

IN THE
Circuit Court
OF
BALTIMORE CITY.

Term, 191

~~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 appearing to the Court that the defendant was duly summoned to appear to the bill of complaint on the 2nd Monday of April 1920, and having failed to appear thereto, that the complainant was entitled to a decree pro confesso against said defendant on April 28th, 1920; and that the defendant has ever since failed to appear to said bill. And it further appearing that a decree pro confesso was erroneously passed against said defendant on the 17th day of April 1920

It is thereupon this 14th day of - - June - - - in the year nineteen hundred and twenty - - - 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.



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.

✓96

CIRCUIT COURT

B-162-

1920.

No. 60 Docket

FRANK JOHNSON

VS.

CORDELIA JOHNSON.

Decree of Divorce

B No.

20773

(87)

fd 18" June 1920

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

Maud B. Cox
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

FRANK JOHNSON

VS.

CORDELIA JOHNSON

Term, 19.20.

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

It is thereupon, this 18th day of June, A. D. 1920,

by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said - - - - - Frank Johnson - - - - -

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, the said Cordelia Johnson.

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

Robert F. Stanton