

ph. (Mon July) 61 <sup>230</sup>  
~~59~~

You have been summoned to appear in Court the second Monday of \_\_\_\_\_ 192\_\_ Personal attend-  
ance in Court on the day named is not required; but, unless within such number of days thereafter as the law  
limits, legal defense is made to this suit, a judgment by default may be entered against you.

No. 111 <sup>17</sup>/<sub>3</sub>

**BALTIMORE CITY COURT**

Robert Toole

**BOX 1363**

**BOX 1363**

*Plaintiff*

vs.

Chas. Guilber  
Commissioner of Police  
for Baltimore City

*Defendant*

GEO. CAREY LINDSAY,  
Clerk of the Baltimore City Court.

Issue in this case, and send copy of the Declaration  
and notice, with the writ, to be served on the Defend-  
ant and make the writ returnable on the second

Monday of \_\_\_\_\_ 192\_\_

Davis + Evans  
*Plaintiff Attorney.*

Filed \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_

**FILED FEB 23 1926**

[NAR IN REPLEVIN]

# In the Baltimore City Court,

BALTIMORE CITY. TO WIT:

Robert Foote by Davis & Evans

has attorney sue Chas. Gauthier, Commissioner  
of Police

for that the said Defendant in the City of Baltimore, State of Maryland, seized and took the goods and chattels of the said Plaintiff, to wit: 1 Elk tooth set with diamonds  
1 Pennyweight chain, 1 gold watch, 1  
Elk eubling, 1 diamond ring set  
in white gold

all of which are located in the City of Baltimore, State of Maryland, of the value of \$117<sup>50</sup>

dollars current money, there then found and being; and unjustly detains the same in the City and State aforesaid against sureties and pledges, until &c., whereupon the said Robert Foote

says he injured, and has sustained damage to the value of \$117<sup>50</sup>  
dollars lawful money, and thereupon he bring suit, &c.

Davis & Evans  
Attorney for Plaintiff.

To Chas. Gauthier the Defendant named in the within declaration:

TAKE NOTICE That on the day of your appearance to this action a rule will be entered requiring you to plead to said declaration in accordance with the Act of 1886, Chapter 184, or judgment by default will be entered against you.

Davis & Evans  
Attorney for Plaintiff.

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

IN THE BALTIMORE CITY COURT.  
The Plaintiff elect to have this case tried  
before a Jury.  
\_\_\_\_\_  
Plaintiff Attorney.

230  
IN THE BALTIMORE CITY COURT.

111 Mar  
..... 57 .....

ROBERT FOOTE,

vs.

CHARLES D. GAITHER, Police  
Commissioner for Baltimore  
City.

.....

PLEA.

.....

Mr. Clerk:

Please file:

*Thomas H. Robinson*  
Attorney General.

*William C. ...*  
Asst. Attorney General  
Attorneys for Defend-  
ant.

.....

✓ THOMAS H. ROBINSON  
ATTORNEY GENERAL  
BALTIMORE MARYLAND  
*Filed 27 Feb 1926*

ROBERT FOOTE,	:	IN THE
	:	
vs.	:	BALTIMORE CITY
	:	
CHARLES D. GAITHER,	:	COURT.
Police Commissioner for	:	
Baltimore City.	:	
	:	

. . . . .

Charles D. Gaither, the defendant in the above entitled case, by Thomas H. Robinson, Attorney General and Willis R. Jones, Assistant Attorney General, his attorneys, for a plea says:

That the articles of jewelry mentioned in the narr in this case were received by the Commissioner from one Wallace Guyton at a time when it was charged that said articles of jewelry had been stolen; that this defendant has no interest in said articles of jewelry, except to secure their return to their rightful owner and is unable to say whether the plaintiff herein is the rightful owner of said articles of jewelry. This defendant prays that he may be saved harmless of any costs in this proceeding.

*Thomas H. Robinson*  
Attorney General.

*Willis R. Jones*  
Assistant Attorney General  
Attorneys for Defendant.

723. 230  
59

BALTIMORE CITY COURT.

No. 11 March 9 1926

Robert Frote

vs.

Chas Gaither

Commissioner  
Service on Josiah Kinsey, Secy

**WRIT OF REPLEVIN.**

FILED MAR 10 1926

Davis & Evans

Attorney for Pltff .

Filed Sherriff's Costs \$ 17.55  
Paid 2/27/1926

Replevied and delivered as per Schedule herewith returned, summoned Charles D. Gaither, Police Commissioner of Baltimore City by service on Josiah Kinsey, Secretary, and copy left.

John R. Peter  
Sheriff

BALTIMORE CITY, to wit:

THE STATE OF MARYLAND,

To the Sheriff of Baltimore City, Greeting :

Whereas Robert Foote

of Baltimore City, ha<sup>s</sup> come into the Baltimore City Court, and found sufficient sureties, as well as for his clamor to prosecute, as for the following property, viz :

I Elk Tooth set with diamond, I penny weight chain, I gold watch, I Elk Emblem, diamond ring set in white gold.

the property of him the said Robert Foote

which Chas. Gaither, Commissioner of Police

in Baltimore

City, ha<sup>s</sup> taken and unjustly detain s in the City of Baltimore, State of Maryland, against sureties and pledges, as it is said, to be returned, if the return thereof shall be required. We therefore command

you that the Property \_aforesaid

to the said Robert Foote

to be replevied and delivered you cause; and that you summon the said

Chas. Gaither, Commissioner of Police

that he be and appear before the Baltimore City Court, at the Court House in the same City, on

the second Monday of March next, to answer unto the said

Robert Foote

of a plea of taking and unjustly detaining the Property aforesaid; and how you shall execute this writ, that you make known to the Baltimore City Court aforesaid; at the place aforesaid, and have you then and there this writ.

WITNESS, the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore

City, the 11th . day of January , 192 6

ISSUED 23rd . day of February , 192 6

Geo Casey Lindsay CLERK.

# A SCHEDULE

Of the Goods, Chattels, Lands, Tenements, and Credits of Charles D. Gaither Police Commissioner of Baltimore City  
seized and taken  
by virtue of a Writ of REPLEVIN issued out of the Baltimore City Court and to the Sheriff thereof  
directed at the suit of Robert Foote

and appraised by  
said Sheriff and by us, the subscribers, who being first duly summoned and sworn for that purpose.

Given under our hands and seals, this 24<sup>th</sup> day of February 1926.

✓ 1 Elk Tooth set with Diamond, <del>xxxxxx</del>	60 00
✓ 1 Penny Weight Chain	3 00
✓ 1 Gold Watch	25 00
✓ 1 Elk Emblem	2 00
✓ Diamond ring set in white Gold	35 00

\$ 125 00

Miss Stuart {SEAL}  
Edward J. Stanley {SEAL}  
Harold A. Keen {SEAL}  
John E. Potee {SEAL}  
Sheriff

Received, Baltimore February 24<sup>th</sup>, 1926, of John E. Potee, Sheriff of Baltimore City, the property as per Schedule above.

Robert Foote