

In The Circuit Court  
of B 567  
Baltimore City  
1920

Theodore Gibson

vs

Josephine Gibson

Belleford Wood Smith

Who both please file

Davis + Bishop  
- per C.S.D.

B 21572

(1) (2)  
DAVIS & BISHOP  
ATTORNEYS AT LAW

18 E. LEXINGTON STREET  
BALTIMORE, MD.

pd 21 Sept 1920

Theodore Gibson : In The Circuit Court  
Vs. : of  
Josephine Gibson : Baltimore City.

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To The Honorable, The Judge of Said Court:

Your Orator, complaining, respectfully says:

FIRST, That the parties hereto were married in Baltimore City, April 23rd. 1915 by Rev. J. Watkins, a Baptist minister, and lived together as man and wife until on or about the *17<sup>th</sup> day of March 1919.*

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 defendant is a non-resident of the city and state and when last heard of was in Atlantic City, N.J.

THIRD, That though the conduct of Your Orator towards his wife has always been kind, affectionate, and above reproach, she without any just cause or reason abandoned and deserted him, and has declared her intentions to live with him no longer; that upon divers days and occasions the said Josephine Gibson committed the crime of adultery with lewd and abandoned men whose names are unknown to your Orator.

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

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

*wherefor Your Orator Prays*  
-a- A divorce a vinculo matrimonii from the defendant.  
-b- Such other and further relief as the case may require.

May it please Your Honor, to grant unto Your Orator, an order of publication, setting forth the nature and substance of this Bill and warning the said defendant to be in this Court in person or appear by solicitor on or before a certain day to be therein named and show cause, if any she may have why a decree should not be passed as prayed.

And as in duty Bound etc.

Theodore Gibson  
Complainant

Davis + Bishop  
Solicitor For Complainant.

State of Maryland }  
                          } To Wit:  
Baltimore City     }

I hereby certify that on this 21<sup>st</sup> day of Sept. 1920, before me the subscriber, a notary Public in and for Baltimore City, state of Maryland, personally appeared Theodore Gibson, the complainant in the foregoing Bill and made oath in due form of law that the matter contained in the same was true to the best of his knowledge and beleif.

Arthur H. Rogers  
Notary Public.

DAVIS & BISHOP, Solicitors,

118 E. Lexington St.

In The Circuit Court of Baltimore City.

Theodore Gibson versus Josephine Gibson.

ORDER OF PUBLICATION:

The object of this suit is to procure a decree for a divorce A Vinculo Matrimonii, by the plaintiff from the defendant.

The Bill states that the parties thereto were married in Baltimore City, by Rev. J. Watkins, a Baptist minister, on or about April 23rd. 1915; and lived together as man and wife until on or about <sup>17<sup>th</sup> day of Mar. 19<sup>20</sup></sup> That the plaintiff 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 defendant is a non-resident of this city and state, and when last heard of was in Atlantic City, N.J. That though the conduct of the plaintiff towards his wife was always kind and affectionate and above reproach, she, without any just cause or reason abandoned and deserted him, and has declared her intention to live with him no longer; that upon divers days and occasions the said Josephine Gibson committed the crime of adultery with lewd and abandoned men whose names are unknown to your Orator. That there are no children born as a result of said marriage.

It is thereupon by the Circuit Court of Baltimore City, ordered this <sup>21<sup>st</sup></sup> day of ~~September~~ <sup>October</sup> 1920 that the plaintiff by causing a copy of this order to be inserted in some daily newspaper, published in the city of Baltimore, once a week for four successive weeks before the day of <sup>21<sup>st</sup></sup> <sup>the month of</sup> ~~September~~ <sup>October</sup> 1920; and give notice to the said defendant, Josephine Gibson (now absent) of the object and substance of this bill and warning her to be and appear in this court in person or by solicitor, on or before the day <sup>the month of</sup> ~~September~~ <sup>October</sup> 1920, to show cause if any she may have, why a decree should not be passed as prayed

*Robert F. Lawton*

567  
1920

Docket No. ....

Gibson

vs.

Gibson

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Certificate of Publication

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921562  
(3)

THE DAILY RECORD.

Filed 19 day of Nov 1920

# THE DAILY RECORD

Davis & Bishop, Solicitors,  
118 East Lexington St.

IN THE CIRCUIT COURT OF BALTIMORE CITY—(B-567-1920)—Theodore Gibson vs. Josephine Gibson.

## ORDER OF PUBLICATION.

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

The bill states that the parties thereto were married in Baltimore City by Rev. J. Watkins, a Baptist minister, on or about April 23, 1915, and lived together as man and wife until on or about March 17, 1919. That the plaintiff 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 defendant is a non-resident of this City and State, and when last heard of was in Atlantic City, N. J. That though the conduct of the plaintiff towards his wife was always kind and affectionate and above reproach, she, without any just cause or reason, abandoned and deserted him, and has declared her intention to live with him no longer; that upon divers days and occasions the said Josephine Gibson committed the crime of adultery with lewd and abandoned men, whose names are unknown to your orator. That there are no children born as a result of said marriage.

It is thereupon, by the Circuit Court of Baltimore City, ordered, this 21st day of September, 1920, that the plaintiff, by causing a copy of this order to be inserted in some daily newspaper, published in the City of Baltimore, once a week for four successive weeks, before the 21st day of October, 1920, and give notice to the said defendant, Josephine Gibson (now absent), of the object and substance of this bill and warning her to be and appear in this Court, in person or by solicitor, on or before the 8th day of November, 1920, to show cause, if any she may have, why a decree should not be passed as prayed.

ROBERT F. STANTON.

True copy—Test:

CHAS. R. WHITEFORD,

s22,2906,13

Clerk.

Baltimore, OCT 13 1920, 192

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

of Baltimore City Case of \_\_\_\_\_

Theodore Gibson

vs. Josephine Gibson

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

21st. day of October, 1920

First insertion September 23rd., 1920

THE DAILY RECORD.

Per Shadew W. Crapster

*Supplement*

567 Blev Ct. Ct.  
1920 Docket

567  
Gilson

vs.

Gilson

**Decree Pro Confesso.**

B21562

No.

aff(4)

Filed 19 Nov 1920



Circuit Court

WASHINGTON, D.C.

*W. H. ...*

*Hester Gison*  
vs.

*Josephine Gison*

*November*

IN THE  
**Circuit Court**  
OF  
BALTIMORE CITY.

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 *19<sup>th</sup>* day of *November* 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 J. Stanton*

STATE OF MARYLAND,  
BALTIMORE CITY, SCT :

I hereby certify that on this *18* day of *November* 19*20* before me, the subscriber, a Notary Public, of the State of Maryland, in and for the City aforesaid, personally appeared *Theodore Gison* 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.

*Theodore M. Gibson*

*Arthur W. Rogers*  
Notary Public.



7/12/14/3

Doc. 73 567  
1920

**In the Circuit Court,**  
**OF BALTIMORE CITY**

**DEPOSITIONS**

*Theodore Gibson*

vs.

*Josephine Gibson*

No. *2156273*

**PLAINTIFF'S COSTS**

Examiners ..... \$ *8<sup>00</sup>*  
Copies .....  
Sheriff .....  
Stenographer ..... *1<sup>00</sup>*  
\$ \_\_\_\_\_  
\_\_\_\_\_

**DEFENDANT'S COSTS**

Examiners ..... \$ .....  
Copies .....  
Sheriff .....  
Stenographer .....  
\$ \_\_\_\_\_

*pd 14 Dec 1920*

Theodore Gibson

.....

vs.

Josephine Gibson

.....

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 nineteenth day of November 1920, met on the nineteenth day of November in the year nineteen hundred and twenty at my office, in the City of Baltimore, in the State of Maryland, and assigned the nineteenth day of November in the same year at three o'clock in the afternoon and the office of Messrs. Davis & Bishop, 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:—

8-1

Gibson,

v.

Gibson.

Testimony taken at the office of Messrs Davis and Bishop, Calvert and Lexington Street, Baltimore, Maryland, November 19th., 1920, at 3 O'clock P. M.

THEODORE GIBSON, the Plaintiff in this case, produced on his own behalf, having been first duly sworn, deposeth and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. Theodore M. Gibson, 935 Mason Street; Baltimore Tube Company.

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

A. I am the Plaintiff and my wife is the Defendant.

BY MR. DAVIS:

1 Q. When were you married?

A. April 23rd., 1914.

2 Q. 1915. or 1914?

A. 1914. I made a mistake when I said 1915 before.

3 Q. Were you married by a Baptist Minister?

A. Yes, by the Reverend Mr. Watkins.

4 Q. There was a separation;- You lived together as husband and wife until March 17th., 1919?

A. Yes.

Theodore Gibson.

5 Q. Now, there was a separation; did you leave her or did she leave you?

A. She left me.

6 Q. She left you; tell what happened.

A. When I went away in the Army,- or, upon my return home from the Army, she remained out at night, and I spoke to her about it, and she claimed that she was going, and did not care to come home, but she did come home and she promised not to do it again, and the following week was the 17th., of March, and she did the same thing, and while she was away at work she wrote a note, stating that she had done wrong while I was in the Army, and that she did not care to face me, and that she was going away and try to do better.

7 Q. That was a week after you returned from France?

A. Yes.

8 Q. Did she go away with anybody.

A. Not that I know of, but I learned that she was living with a fellow in Atlantic City by the name of Charles McKay.

9 Q. And this Charles McKay was the man that came to see her while you were in France, you afterwards found out

A. Yes

Theodore Gibson.

10 Q. Now, when she left you, and left that letter, you found out from other people that she had been having men come to the house the whole time that you were in france?

A. Yes.

16 Q. And Mrs. Holmes, the witness present knows about that, does she.

A. Yes.

17 Q. And you did not know it until after she left?

A. No sir.

18 Q. And you have been a resident of Baltimore City, State of Maryland, for more than two years prior to the filing of this suit?

A. Yes.

19 Q. How long have you been a resident of Baltimore City, State of Maryland?

A. All my life; I was born here.

20 Q. And is your wife a resident or a non-resident of Baltimore City or the State of Maryland.

A. She is a non-resident of the State of Maryland.

21 Q. Where was she the last you heard of her?

A. Atlantic City, New Jersey.

22 Q. And your conduct towards your wife was always above reproach.

Theodore Gibson.

A Yes.

23 Q. That is: Kind and affectionate?

A. Yes.

24 Q. Did she get an allotment while in the Army,-  
while you were in the Army?

A. Yes.

25 Q. Have you forgiven or condoned her offense of  
adultery that she committed?

A. No sir.

26 Q. Have you lived or cohabited with her since  
you discovered said adultery?

A. No sir.

27 Q. Are there any children living as the result of  
the marriage?

A. No sir.

28 Q. You have spoken of a letter that your wife  
sent you; what has become of that letter?

A. I have it; I destroyed it with the rest of  
my letters.

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*  
*Theodore M. Gibson*

LENA HOLMES, a witness of lawful age, produced on behalf of the Plaintiff, having been first duly sworn, deposeseth and saith as follows, that is to say:

BY THE EXAMINER:

- 1 Q. State your name residence and occupation?  
A. Lena Holmes, 937 Mason Street; housekeeping.  
2 Q. Do you know the parties to this suit.  
A. yes.

BY MR. DAVIS:

- 1 Q. You were not present at the marriage, but you know that they were married?  
A. Yes.  
2 Q. You lived next door to them?  
A. yes.  
3 Q. And you know that they lived together as husband and wife?  
A. Yes.  
4 Q. And they were reputed in the community to be husband and wife?  
A. Yes.  
6 Q. And he held her out as his wife?  
A. Yes.  
7 Q. You know that there was a separation on or about March 1917?  
A. Yes.
- 1919



Lena Holmes.

8 Q. Did he leave her or did she leave him?

A. She left him.

9 Q. Why?

A. She left him to go to Atlantic City with a man named McKay; I saw the man come to her house while he was away.

9 Q. While Mr. Gibson was in France what happened. What happened while Mr. Gibson was away.

A. While Mr. Gibson was away she kept company at nights, and the house was crowded every night.

10 Q. With men?

A. Yes; except Saturday night, and most every day through the week and Sundays.

11 Q. What did they do?

A. They drank and carried on.

12 Q. Drinking.

A. Yes. I saw the cases of beer in the back yard.

14 Q. You saw the cases of beer come there.

A. Yes, and I saw the men come in the front and back.

15 Q. You have often seen them going in and coming out

A. Yes, and I would see them coming out in the morning; this man McKay would stay there all night.

16 Q. There was another girl Sarah that lived there,

Lena Holmes.

was there not.

A. Yes.

17 Q. And who lived in the same house with a man that was not her husband.

A. Yes.

18 Q. How many bed rooms are there in the house.

A. Yes; there was two bed rooms.

19 Q. And there was a light man named McKay that she went with, you say?

A. Yes.

20 Q. And you saw him stay all night too, have'nt you.

A. Yes.

21 Q. Has the Plaintiff, Mr. Gibson, been a resident of Baltimore City, State of Maryland, for more than two years prior to the filing of this suit

A. Yes; he has lived here all his life.

22 Q. The Defendant is a non-resident of the State of Maryland.

A. Yes.

23 Q. Where was she the last you heard of her?

A. In Atlantic City.

24 Q. Was his conduct above reproach in all respects.

A. Yes.

## Lena Holmes.

25 Q. Did he give her any cause to leave him?

A. No sir.

26 Q. He always provided for her.

A. Yes.

27 Q. And he, Mr. Gibson, did not know anything about this conduct of his wife until he returned from France, did he.

A. No sir.

28 Q. And has he forgiven her offense in any way.

A. No sir.

29 Q. Or lived with him?

A. No sir.

30 Q. There are no children of this marriage?

A. No sir.

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.---

Wm Lena Holmes

SAMUEL JOHNSON, a witness of lawful age, produced on behalf of the Plaintiff, having been first duly sworn, deposeseth and saith as follows, that is to say:

BY THE EXAMINER:

- 1 Q. State your name residence and occupation?  
A. Samuel Johnson, 419 St. Mary's Street; porter.  
2 Q. Do you know the parties to this suit?  
A. Yes.

BY MR. DAVIS:

- 1 Q. You were not present at the wedding?  
A. No sir.  
2 Q. But they were married in Baltimore City  
April 23rd.  
A. yes.  
3 Q. 1914.  
A. yes.  
4 Q. By the Reverend Mr. Watkins?  
A. Yes.  
5 Q. A Minister of the Gospel.  
A. Yes.  
6 Q. And you know that they were husband and wife.  
A. Yes.  
6 Q. And their reputation was that of husband and wife?  
A. Yes.

Samuel Johnson.

7 Q. Now, there was a separation; which left the other.

A. She left him.

8 Q. She left him to go to Atlantic City with another man, is'nt that right.

A. Yes.

9 Q. With a man named McKay?

A. yes.

10 Q. You understand that she is still living with McKay?

A. Yes.

11 Q. Did you visit the house of Mrs. Gibson while Mr. Gibson was in France?

A. Yes.

12 Q. What did you observe.

A. I was there one night and I asked her about her husband, and she said that she had not heard, and I walked in and she had a housefull of men, and beer and whiskey and gin, and had a regular jamberee in there.

13 Q. House full of men and woman.

A. Yes, and I came out and I stayed away until four or five weeks after that, and I came back again on a Saturday night, and the same thing occurred

## Samuel Johnson.

on that Saturday night, and I did not go around there any more, because I did not think it was right; in fact I knew it was not right, and specially while a man was away in France the way that he was. I went there two or three times, and each time there was men in there; men and women and whiskey and gin on the table.

14 Q. And did you see her smoking cigarettes?

A. Yes; she said that she would do anything then.

15 Q. While her husband was away in France?

A. Yes.

16 Q. After his wife left him you told him about it.

A. Yes.

16 Q. Did you ever see her on the street with other men.

A. Yes; I saw her on the street a lots of times.

17 Q. With a man.

A. Yes.

19 Q. Did you see her on Pennsylvania Avenue with a man.

A. Yes; going to a house on Pennsylvania Avenue.

20 Q. And what is the reputation of the house.

A. It is a house that you can do anything in.

21 Q. A bed house.

A. Yes.

Samuel Johnson.

22 Q. You know that to be a fact?

A. Yes.

23 Q. And she used to go there with other men while he was in France?

A. Yes.

23 Q. Has the Plaintiff been a resident of Baltimore City, State of Maryland, for more than two years prior to the filing of this suit?

A. Yes.

24 Q. And she is a non-resident.

A. Yes; she is in Atlantic City.

25 Q. Was his conduct above reproach.

A. Yes.

26 Q. Did he give her any reason to leave him.

A. No sir.

26 Q. Has he ever forgiven or condoned her offense?

A. No sir.

27 Q. Has he ever lived with her since you told him about her living with this man.

A. No sir.

28 Q. There are no children of this marriage?

A. No sir.



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.---

*James 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 17 day of December in the year of Our Lord nineteen hundred and twenty..... 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 none by the Defendant.....

A. de Russey Sappington  
Examiner.

Circuit Court

567  
19 20 *Bleo* Docket No. ....

*Gibson*

vs.

*Gibson*

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Order of Reference  
and Report

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~~*Robertson*~~

*Bz 21562*

No. *6*

Order Filed *18 Dec* day of ..... 19 *20*

Report Filed.....day of.....19

Theodore Gibson

5567

IN THE

Circuit Court

OF

BALTIMORE CITY

vs.

Definie Gibson

*no*

Term, 19

18

This case being submitted, without argument, it is ordered by the Court, this day of December, 1920 that the same be and it is hereby referred to Alex H Robertson, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

*Robert F Stanton*

Report of Auditor and Master

Bills filed by husband against wife for a divorce a vinculo matrimonii for adultery Code Art. 16-5-36. Order of publication against defendant as a non resident no appearance done no confession thirty days default. Proof shows marriage residence of plaintiff non residence of defendant and adultery of defendant. Case ready for decree.

*Alex Robertson  
Auditor and Master*

12

# CIRCUIT COURT

B 567  
1920 No. Docket

.....Theodore Gibson.....

VS.

.....Josephine Gibson.....

## Decree of Divorce

B 21562  
B No. ....

(7)

At 23 December 1920

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

*Alay ...*  
.....  
Auditor and Master.

Decree of Divorce

IN THE

**Circuit Court**

OF

BALTIMORE CITY

.....Theodore Gibson.....

VS.

.....Josephine Gibson.....

.....November..... Term, 1920..

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

It is thereupon, this twenty third day of December, A. D. 1920.  
by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

.....Theodore Gibson.....

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, Josephine Gibson.

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

*Robert F. Stanton*