

10

IN THE CIRCUIT COURT OF

BALTIMORE CITY

B534

MAMIE HOWARD

1928

VS.

WILLIAM HOWARD.

Restaurant on Sea

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

J. Steward Davis
SOLICITOR FOR COMPLAINANT

B325-764

(4)

DAVIS & BISHOP
ATTORNEYS AT LAW

BANNEKER BUILDING

145 PLEASANT STREET
BALTIMORE, MD.

At 145 Pleasant Street 1928

MAMIE HOWARD : IN THE CIRCUIT COURT
VS. : OF
WILLIAM HOWARD : BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully says:-

- (1) That she was married to her husband, William Howard, on or about the 2nd day of August, 1921 by Rev. Brown in Baltimore City, and with whom she resided until about the 10th day of August, 1921.
- (2) That ever since said marriage your Oratrix has behaved herself as a faithful, chaste and affectionate wife toward the said William Howard.
- (3) That the said William Howard has on divers days and times since said marriage, committed the crime of adultery with divers, lewd and abandoned women in Baltimore City whose names to your Oratrix are unknown, and said offense has not been condoned by your Oratrix.
- (4) That there are no children born as issue of said marriage.
- (5) That both your Oratrix and the defendant are citizens of the State of Maryland, having resided in Baltimore City for more than two years prior to the filing of this Bill.
- (6) Your Oratrix states further, that she is destitute and without funds to defray the expenses of this litigation; further that she is without the means of support for herself. She is advised by counsel that she is permitted to petition this Honorable Court that the defendant shall be compelled to contribute a reasonable amount as alimony pendente lite towards her support, and that she will also be awarded an amount in order to compensate her Solicitor.

Your defendant has a lunch room and earns an average of forty dollars per week.

TO THE END, THEREFORE:

(a) That your Oratrix may be divorced a Vinculo Matrimonii from the said William Howard.

(b) That she may have such other and further relief as her case may require.

(c) That this Honorable Court will decree that the defendant pay a reasonable sum as alimony pendente lite and an additional sum as Counsel fee.

(d) Permanent alimony.

(e) Right to resume maiden name (Toy).

May it please your Honor to grant unto your Oratrix the Writ of Subpoena directed against the said William Howard, commanding and requiring him 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.


SOLICITOR FOR COMPLAINANT.

419-464
534863 Ct. Ct.
192 3 Docket No.

Howard

Howard

SUBPOENA TO ANSWER BILL OF COMPLAINT

Pr
No. 25767

(3) (5)

Filed 11 Sept 1923

J S Davis SOLICITOR
f" Oct 1923

non Est
(Bunn)
Thomas J Mc Nulty
Sheriff

9/13 1923
RETURN TO
October
Chas. P. Whiteford

non Est
(Bunn)
Thomas J Mc Nulty
Sheriff

EQUITY SUBPOENA

The State of Maryland

To

William Howard

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

Wm Howard

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 **9th** day of **July** 192**3**

Issued the *14* day of **August**, in the year 192**3**

Chas. R. Whiteford, 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

William Howard

Restarant
Luman st nr Howard

Seal

9/13
Attest:
Chas. R. Whitefore 3.

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

Mame Howard

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 **9th** day of **July** 192**3**

Issued the **14th** day of **August**, in the year 192**3**

Chas. R. Whitefore, 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.)

63 B Docket 534
1923

CIRCUIT COURT.

Howard

vs.

Howard

Order for Alimony

Pendente Lite

ORDER

B 25767
B No.

(3) 147

\$40 a week
no children

Fd.: 16 Aug 1923
" 30 " 8 "

non est
(Burrin)
non est
(Burrin)

(2nd Return)

Thomas J. Mcmully
Sheriff

Thomas J. Mcmully
Sheriff

Mame Howard

vs.

William Howard
Restaurant
on Lemon Street Howard St

IN THE
CIRCUIT COURT
OF
BALTIMORE CITY

July TERM, 1923

ORDERED BY THE COURT this 16th day of August 1923.

that the defendant

William Howard

pay to the plaintiff

Mame Howard

the sum of

Twelve

Dollars per week, during the continuance of this suit, accounting from the

day of August 1923 to the said plaintiff Mame Howard

as alimony, *pendente lite* unless cause to the contrary be shown on or before the 31

day of August 1923 provided a copy of this Order be served on the said defendant

William Howard on or before the

day of August 1923

W
Duke Howard

TRUE COPY—TEST:

CLERK

B Docket

CIRCUIT COURT.

MAMIE HOWARD

vs.

WILLIAM HOWARD

Order for Alimony

Pendente Lite

ORDER

B No.

()

Fd.:

Mamie Howard

vs.

William Howard

IN THE
CIRCUIT COURT

OF
BALTIMORE CITY

July TERM, 1923.

ORDERED BY THE COURT this **16th** day of **August** 1923.

that the defendant **William Howard**

pay to the plaintiff **Mamie Howard**

the sum of **Twelve**

Dollars per week, during the continuance of this suit, accounting from the **16th**

day of **August** 1923 to the said plaintiff **Mamie Howard**

as alimony, *pendente lite* unless cause to the contrary be shown on or before the **31st**

day of **Aug.** 1923, provided a copy of this Order be served on the said defendant

William Howard on or before the **25th**

day of **Aug.** 1923.

Duke Bond

TRUE COPY—TEST.


CLERK

The foregoing Order having been returned "Non Est" as appears by the Sheriff's return thereon; it is Ordered by the Circuit Court of Baltimore City this *30*" day of *August* 192*3*, that the time for showing cause under said Order be extended to the *14* day of *September* 192*3*, and the time for service of a copy of the same be extended to the.. *8* day of

September 192*3*

Henry Duff

The foregoing Order having been returned "Non Est" as appears by the Sheriff's return thereon; it is Ordered by the Circuit Court of Baltimore City this 30 day of August 1923, that the time for showing cause under said Order be extended to the.....14..... day of.....September 192.....3, and the time for service of a copy of the same be extended to the.....8..... day of September 192 3.

TRUE COPY
TEST.

Clark Whiteford CK

Henry Haffey

6313 534

Doc..... 1

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Minnie Howard

vs.

Howard

25767

No. 25767

PLAINTIFF'S COSTS

Examiners \$.....

Copies

Sheriff

Stenographer

\$ _____

DEFENDANT'S COSTS

Examiners \$.....

Copies

Sheriff

Stenographer

\$ _____

3/13/11/35

8-3-12

1

Howard,

v.

Howard.

Testimony taken at the office of Mr. Davis,
Baltimore, Maryland, November 1923, at three O'clock P.
M.

Mamie Howard, the Plaintiff in this case, pro-
duced on her 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. Mamie Howard, 229 North Dallas Street; house
work.

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

A. I am the Plaintiff and my husband is the De-
fendant.

By Mr. Davis:

1 Q. When were you married?

A. 2nd., August 1921.

2 Q. Were you married by a Minister of the Gospel?

A. Yes.

3 Q. In Baltimore City.

A. Yes.

4 Q. By a Religious Ceremony?

A. Yes.

Mamie Howard.

5 Q. Have you been arresident of Baltimore City, State of Maryland, for at least two years prior to the filing of this suit?

A. Yes.

6 Q. Are there any children as the result of this marriage?

A. No.

7 Q. What was your conduct towards your husband while living together; how did you treat him?

A. My conduct towards my husband while living together; was all right; he had no cause to complain.

8 Q. How did you treat hi m.

A. I tried to treat him as a wife should treat her husband.

9 Q. State whether or not you were always a kind, affectionate and faithful wife?

A. Yes.

10 Q. Are you and your husband living together now?

A. No sir

11 Q. Which left the other; did he leave you or did you leave him?

A. He told me to go; he put me out.

11 Q. Did you go?

A. Yes.

Mamie Howard.

12 Q. When?

A. On the 10th., August 1921.

13 Q. You charge your husband with adultery; do you know anything personally about that?

A. Yes.

13 Q. What do you know?

A. Well, he had a woman in the house there.

15 Q. You was told that.

A. Yes.

16 Q. Upon being told that he -- that they has seen some woman go upstairs into his bed room, did you get after your husband about it?

A. Yes.

17 Q. What was his answer?

A. He told me that it was his business, and for me to tend to mine; that he had them coming there and that he was not going to stop it.

18 Q. Have you seen him with Sallie Bright.

A. Yes.

19 Q. Where; in the house.

A. In the house; he and Sallie Bright was sitting down at the table drinking whiskey together, and he had his arm around her.

Mamie Howard.

20 Q. Did you say anything to him about Sallie Bright?

A. Yes.

21 Q. What did he say?

A. He said for me to tend to my own business, and that he was not going to stop any of his friends coming there.

22 Q. Did your husband admit his adulteries to you with this woman?

A. Yes.

23 Q. Is that what caused the separation between you and your husband?

A. Yes.

24 Q. Have you lived with him since you discovered his adulteries?

A. No sir.

25 Q. Have you forgiven or condoned his offense in any way?

A. No.

26 Q. Have you lived or cohabited with him since the 10th., August 1921.

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.---

No.

W. James X Howard
Esq.

written
(Signature)

Josephine Jones, 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. Josephine Jones, 313 Louis Street; laundry work.
2 Q. Do you know the parties to this suit?
A. Yes.

By Mr. Davis:

- 1 Q. Are the parties to this suit husband and wife?
A. yes.
2 Q. Did they live together as husband and wife and were they always known and recognized in the community in which they lived as husband and wife?
A. Yes.
3 Q. Has the Plaintiff been a resident of Baltimore City, State of Maryland, for at least two years prior to the filing of this suit?
A. Yes.
4 Q. Are there any children as the result of this marriage?
A. No.
5 Q. What was her conduct towards her husband while living together; how did she treat him?
A. She tried to suit him, as far as I could see/

Josephine Jones.

6 Q. State whether or not she was always a kind, affectionate and faithful wife?

A. Yes.

8 Q. Are the parties to this suit living together now?

A. No sir.

9 Q. Which left the other; did he leave her or did she leave him?

A. He put her out.

10 Q. When?

A. He put her out on the 10th., August 1921.

11 Q. Do you know Sallie Bright?

A. Yes; she used to live in the other house.

12 Q. Did she have anything-- Did you ever see anything between he and Sallie Bright.

A. I saw them -- They went upstairs, and I looked right out my window, and I saw them when she lowered the light, and they laid down, but I could not tell you what they did.

13 Q. Did they take their clothes off,

A. They had their clothes off /

14 Q. Do you mean to say that they were naked?

A. She had on a short gauze shirt, and he had on his underwear, because she had looked over then,

Josephine Jones.

and as much as told him that I was locking, and it seemed as if he opened the other blind so that I could see good, so show me that they did not care.

15 Q. You were living across the street from ~~hi~~ them?

A. Yes; right across the street from him.

16 Q. Where was your daughter at that time.

A. My daughter was in Asbury Church at Class.

17 Q. How long did they stay up there.

A. I dont know exactly.

18 Q. About how long?

A. About two hours.

19 Q. When the girl came out did you get after her.

A. Yes; I met her on the corner and asked her what she was doing in there, and she said that she had gone with him before they were married, and that if she had known by daughter was going to marry him that she would have told us what kind of a man he was.

20 Q. Did you get after him about it?

A. Yes, and he said that I did not have anything to do with it.

21 Q. Did you tell your daughter about this?

A. Yes.

22 Q. And did she confront her husband with this fact in your presence?

A. Yes.

Josephine Jones.

23 Q. Did he admit or deny his adultery with this woman at that time?

A. He said that it was not any of our business.

24 Q. Did he admit or deny that he was in the bed room with this woman undressed?

A. No; he did not deny it.

25 Q. Did he admit it.

A. Yes; he admitted it; he said that it was not any of our business.

25 Q. And is that what caused the separation; did they separate then.

A. No, she stayed until Friday, and that was on Wednesday, and Friday he put her out.

27 Q. Has she lived or cohabited with her husband since she discovered this adultery?

A. No sir.

27 Q. Has she forgiven or condoned his offense in any way.

A. No sir; she has 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.---

Josephine ^{her} X Jones
mah

Just
C. J. Jones

Mamie Howard, the Plaintiff in this case,
heretofore produced and sworn, recalled'

By Mr. Davis.

1mQ. You have heard the testimony of the previous witness wherein she stated that this adultery between this woman and your husband occurred on a Wednesday and that you lived in the same house with him until Friday; did you live or cohabit with him during those two days that you stayed in the same house together after you discovered his adultery.

A. No sir.

2 Q. You stayed in the house with him two days after that, but you had no intercourse with him?

A. No sir; I did not have anything to do with him.