

IN THE CIRCUIT COURT OF
BALTIMORE CITY.

64 B 398

1924
JOSEPH T. KENNARD

VS.

MOLLIE KENNARD
654 Down St.

BILL FOR DIVORCE

Mr. Clerk: -

Please file.

J. Steward Davis

George W. Evans
ATTORNEYS FOR PLAINTIFF.

B 27 134

J. STEWARD DAVIS
ATTORNEY AT LAW

215 SAINT PAUL PLACE
BALTIMORE, MD.

fd 18 June 1924

JOSEPH T. KENNARD : IN THE CIRCUIT COURT
VS. : OF
MOLLIE KENNARD : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

- (1) That he was married to his wife, Mollie Kennard on the 1st day of January, 1913 and with whom he resided until the 8th day of March, 1916 when the defendant deserted the plaintiff.
- (2) That though the conduct of your Orator towards the said Mollie Kennard 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 your Orator has not lived or co-habited with the said defendant since said desertion.
- (4) That there are no children as issue of said marriage.
- (5) That both your Orator and the defendant are citizens of the State of Maryland having resided in Baltimore City for more than three years prior to the filing of this bill.

TO THE END, THEREFORE:

- (a) That your Orator may be divorced a Vinculo Matrimonii from the said Mollie Kennard.
- (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 Writ of Subpoena directed against the said Mollie Kennard, 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.

AND as in duty bound, etc.

J. Steward Davis

George W. Evans.
SOLICITORS FOR COMPLAINANT.

Q-248

Ct. Ct. No 2

398

192

Docket No.

Kennard

vs.

Kennard
654 Dorset

Subpoena to Answer Bill of Complaint

Pro.
B 27134

No.

(2)

Filed 25 June 192
Dunn & Evans
Solicitor.

8

Summoned and a copy of the Process left
with the defendant
(Mitchell)
6/29/24
Dunn & Evans
John S. Peter
Sheriff

EQUITY SUBPOENA
The State of Maryland

To

Mollie Kennard , 654, Dover St,

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 July, next, cause an appearance to be entered for you, and your Answer to be filed to the Complaint of **Joseph T. Kennard**

against you exhibited in the CIRCUIT COURT ~~XXX~~ 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 12th day of May, 1924,
Issued the 18th day of June, in the year 1924,

Chas R. Whiteford,

Clerk.

MEMORANDUM:

You are required to file your Answer or other defence in the Clerk's Office, Room No. ~~215~~ ²⁰⁶ in the Court House, Baltimore City, within fifteen days after the return day. (General Equity Rule 11.)

398

Ct. Ct.

1924

Docket

Joseph T Kennard
vs.

Mollie Kennard

Decree Pro Confesso.

B 27134

No.

(37)

Filed

2 August 1924

Joseph T. Kennard
vs.

Mollie Kennard

IN THE
Circuit Court
OF
BALTIMORE CITY.

July

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 29 day of August 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.

Ch. Frank

3/13/11 78

Doc. B..... $\frac{398}{1924}$

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Joseph S. Kennard

vs.

Mollie S. Kennard

No. *27134B*

PLAINTIFF'S COSTS

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

DEFENDANT'S COSTS

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

Joseph T. Tennard

vs.

Mollie T. Tennard

In the Circuit Court

OF BALTIMORE CITY.

Decrease 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

Twenty-ninth day of *August* 19*24*, met on
the *second* day of *September* in the year nineteen
hundred and *twenty-four* at my office, in the City of Baltimore, in the State
of Maryland, and assigned the *third* day of *September*

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:—

8-4

Kennard,

v:

Kennard.

Testimony taken at the office of *J. Stewart Davis,*
215 N. Canal Place, Baltimore, Maryland, *Sept. 3, 1924,* 1924.

Joseph T. Kennard, the Plaintiff in this case,
produced on his own behalf, 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. Joseph T. Kennard, 510 West Preston
Street; driver.

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

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

By Mr.

1 Q. When were you married?

A. 1913.

2 Q. What month?

A. 1st., January.

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

A. Yes.

4 Q. In Baltimore City?

A. Yes.

5 Q. And by a Religious Ceremony?

A. Yes.

Joseph T. Kennard.

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

A. Yes.

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

A. No.

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

A. I treated her fairly good as I could for a working man.

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

A. Yes; I was.

10 Q. Are the parties - you and your wife - living together now?

A. No sir.

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

A. She left me.

12 Q. When?

A. She left me in 1916.

13 Q. What month?

A. March.

14 Q. What did she say and what did she do?

A. She did not give me any satisfaction at all.

Joseph T. Kennard.

15 Q. What did she say and what did she do on the day that she left you?

A. She did not do anything but packed away and moved while I was at work.

17 Q. And when you came home you found an empty house?

A. Yes.

17 Q. After that time did you go to her and ask her for an explanation?

A. Yes.

19 Q. What did she tell you?

A. I asked her to come back and she said no, that she would not.

20 Q. Did you ask her to come back more than once?

A. Yes.

20 Q. Has she made any claim or demand upon you since she abandoned and deserted you?

A. No sir.

21 Q. Has her abandonment and desertion of you continued uninterruptedly since March 1916?

A. Yes.

22 Q. That is, have you lived or cohabited with her since that time?

A. No sir.

Joseph T. Kennard.

23 Q. State whether or not her abandonment and desertion was deliberate and final; did she deliberately and finally abandon and desert you?

A. Yes.

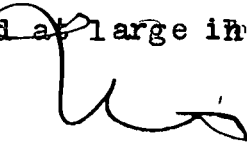
24 Q. State whether or not there is any reasonable expectation of a reconciliation; do you ever expect to make up and live together again?

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.---

A handwritten signature in cursive script, appearing to be "J. J. Hennard".

Joseph J Hennard.

Maurice Sampson, a witness of lawful age, produced on behalf of the Plaintiff, 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. Maurice Sampson, 505 Oxford Street; grocery business.

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

A. Yes.

By Mr.

1 Q. Are they 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 more than two years prior to the filing of this suit?

A. Yes.

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

A. No.

5 Q. What was his conduct towards his wife while living together; how did he treat her?

Maurice Sampson.

A. He treated her very nicely.

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

A. Yes.

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

A. No sir.

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

A. She left him.

9 Q. When?

A. March.

10 Q. What year?

A. 1916.

11 Q. How do you know that?

A. Because he came around to my house that morning and told me that she had sent his trunk up to a cousin and he was telling me about it, and that evening me and he went out walking, and we stopped - I stopped by the house with him where they were living, and she was packing up her things, and he asked her what she was doing, and she would not give him any satisfaction, and I left him there with his wife and came on home.

12 Q. This was the night before she left him, was it not?

A. Yes.

8

Maurice Sampson.

13 Q. And the next day what did you see?

A. And the next night I went by there and I did not see nobody and the house was empty, and I saw him at that time coming out of the house; he was standing on the steps; he told me that she had taken the things out and left him.

14 Q. Now, then what did he have to do?

A. He had to go to his mother.

15 Q. Now, have you ever seen her since she left him?

A. No sir; I have not.

16 Q. But you actually did see the empty house, did you?

A. Yes.

17 Q. Did the Plaintiff have a key to that house at that time.

A. Yes.

18 Q. And did you and he enter the house?

A. He was standing on the steps coming out of the house and the door was open, and I went up on the steps and looked inside the house, and I found everything out.

19 Q. Has she made any claim or demand upon her husband since she abandoned and deserted him?

A. No sir.

Maurice Sampson.

20 Q. When was this that she abandoned and deserted him in this manner?

A. March 1916.

21 Q. Has her abandonment and desertion of her husband continued uninterruptedly since March 1916?

A. Yes.

22 Q. That is, have they lived or cohabited together since that time?

A. No sir.

23 Q. State whether or not her abandonment and desertion of her husband was deliberate and final; did she deliberately and finally abandon and desert her husband?

A. Yes.

24 Q. State whether or not there is any reasonable expectation of a reconciliation; do you ever expect them to make up and live together again?

A. No sir.

25 Q. On the night prior to the separation did you hear her say anything about leaving her husband.

A. No sir; she did not say one thing one way or the other; she just would not answer him.

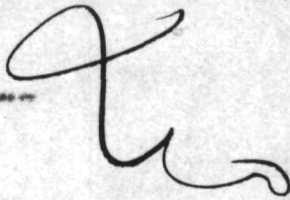
26 Q. But she was as a matter of fact at that very time preparing to abandon him?

A. Yes.

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.---

A handwritten signature in cursive script, appearing to be "Mannie Sampson".

Mannie Sampson

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

..... (SEAL).
Examiner.

There are *two*..... Exhibits with these depositions, to wit:
Plaintiff's..... Exhibit *1*.....

Defendant's..... Exhibit *1*.....

.....
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.....

.....
Examiner.