

IN THE CIRCUIT COURT OF

BALTIMORE CITY.

*63 B 566*

BIRDIE LEWIS *1923*

VS.

EUGENE LEWIS

*Craft's Farm  
near Ellicott City  
Howard County*

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

*P 258 28*

*J. Steward Davis*  
ATTORNEY FOR COMPLAINANT

*sd 30 August 1923*

DAVIS & BISHOP  
ATTORNEYS AT LAW  
BANNEKER BUILDING  
14 E. PLEASANT STREET  
BALTIMORE, MD.

BIRDIE LEWIS : IN THE CIRCUIT COURT  
VS. : OF  
EUGENE LEWIS : BALTIMORE CITY.

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TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:

(1)

That she was married to her husband, Eugene Lewis on the 24th day of October, 1906 with whom she resided until about the 12th day of September, 1913.

(2)

That though the conduct of your Oratrix toward the said Eugene Lewis, has always been kind, affectionate and above reproach, he has without any just cause or reason abandoned and deserted her and has declared his intentions to live with her 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 Oratrix 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 Oratrix 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 of Complaint.

TO THE END, THEREFORE:

(a) That your Oratrix may be divorced a Vinculo Matrimonii, from the defendant, Eugene Lewis.

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

May it please your Honor to grant unto your Oratrix the Writ of Subpoena directed against the said Eugene Lewis 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.

Lorrafts Farm  
near Ellicott  
laty

566 B63 Ct. Ct.  
19 23 No. Docket

Lewis  
Pm  
Lewis 7

**SUBPOENA TO ANSWER BILL OF COMPLAINT**

No. B 25828  
(2)

Filed 5 Sept 1923  
J. S. Carr  
Solicitor

Received 3/ Aug 1923  
and forwith delivered to the Sheriff  
of Howard County.

Hart B. Nell, Clerk

Sept 1 1923  
Summons served and  
copy left with defendant

Arthur C. Bossemme  
Sheriff

EQUITY SUBPOENA

The State of Maryland

To

*Eugene Lewis*

Of *Howard* County, 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 *September* 19 *23* to answer the complaint of

*Birdie Lewis*

against you in said Court exhibited.

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

WITNESS the honorable ~~MORRIS A. SOPER~~ *James P. Sonta*, Chief Judge of the Supreme Bench of Baltimore City, the *9* day of *July* 19 *23*

Issued the *30* day of *August* in the year 19 *23*

*Clark Whiteford*  
Clerk

566

Ct. Ct.

1913 Docket

Lewis

vs.

Lewis

Decree Pro Confesso.

Sapp  
B. 25828

No.

(3)

Sapp

Filed 26 Sept 1913

Burke Lewis  
vs.  
Eugene Lewis

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

September Term, 1943

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 26 day of September in the year nineteen hundred and twenty three 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.

*Henry Duffey*

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.

Circuit Court  
566/63  
1923 Docket No.

Lewis

vs.

Lewis

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Order of Reference  
and Report

---

B  
25828  
No.

(5)  
Robatsun

Order Filed 27 day of Nov 1923  
Report Filed 1 day of Dec 1923



Bertie Sewes

vs.

Engle Sewes

IN THE  
Circuit Court

OF  
BALTIMORE CITY

*Ad*

Term, 192<sup>3</sup>

27

This case being submitted, without argument, it is ordered by the Court, this day of *November*, 192<sup>3</sup>, 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.

*Alex H Robertson*

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Report of Auditor and Master

Bill filed by wife against husband for divorce a vinculo matrimonii on ground of abandonment for three years, Code Article 16, Section 36. Defendant summoned. No answer. Degree pro confesso, thirty days elapsed. Proof shows marriage, residence and abandonment of the Plaintiff for at least three years continuous, deliberate, final and without hope of reconciliation. Plaintiff to be permitted to resume her maiden name. Case ready for decree.

*Alex Robertson*

Auditor and Master.

*Not paid*

CIRCUIT COURT

B 566-23 No. Docket

BIRDIE LEWIS

VS.

EUGENE LEWIS

Recorded

Folio 345 1923

Decree of Divorce

B No. 25828

*Not paid*

*Filed 1<sup>st</sup> December 1923.*

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

*Alex. Robertson*  
Auditor and Master.

Decree of Divorce

IN THE

**Circuit Court**

OF

BALTIMORE CITY

*November*

~~SEPTEMBER~~

Term, 19..23..

..... BIRDIE LEWIS .....

VS.

..... EUGENE LEWIS .....

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

It is thereupon, this *1st* day of *December*, A. D. 1923

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

..... BIRDIE LEWIS .....

the above named Complainant be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, EUGENE LEWIS.

And the Plaintiff is hereby permitted to resume her maiden name, Birdie Chinn.

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

*Mary Jeffery*

Doc. 79 566  
1923

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

**DEPOSITIONS**

*Birdie Lewis*

vs.

*Eugene Lewis*

No. 25-828B

**PLAINTIFF'S COSTS**

Examiners.....\$ 8.00  
Copies.....  
Sheriff.....  
Stenographer.....  
\$ \_\_\_\_\_

**DEFENDANT'S COSTS**

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

*A 22 Nov 1923*

311311757

*Biddie Lewis*

-----

vs.

*Eugene Lewis*

-----

**In the Circuit Court**

**OF BALTIMORE CITY.**

----- *dece* *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 *September* ----- 19*23*, met on  
the *twenty-seventh* ----- day of *September* ----- in the year nineteen  
hundred and *twenty-three* ----- at my office, in the City of Baltimore, in the State  
of Maryland, and assigned the *twenty-eighth* ----- day of *September* -----  
in the same year at ----- *three* ----- 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:—

8-2-3

Lewis,

v.

Lewis.

Testimony taken at the office of Mr. Davis,  
Baltimore, Maryland, September 28th., 1923, at 3 O'clock  
P. M.

Birdie Lewis, the Plaintiff in this case,  
produced on her 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. Birdie Lewis, 814 Whatcoat Street; washing and  
ironing.

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. 24th., day of October 1906.

2 Q. Where?

A. At No. 4 Amity Street.

3 Q. In Baltimore City.

A. Yes.

4 Q. By a Religious Ceremony?

A. Yes.

Birdie Lewis.

5 Q. Have you been a resident of Baltimore City, State of Maryland, for at least twonyears prior to the filing of this suit?

A. Yes.

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

A. No sir.

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

A. All right; as a wife should.

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

A. Yes.

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

A. No sir.

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

A. I was compelled to leave him.

11 Q. When?

A. On the 12th., September.

12 Q. What year?

A. 1913.

## Birdie Lewis.

13 Q. What did he say and what did he do on that day?

A. Why he threatened to beat me.

14 Q. And what else?

A. And he was drunk and he ran me out of the house.

15 Q. Did he have anything in his hands?

A. That I do not know; he was a man that would use almost anything, - dishes or anything else, and I ran.

16 Q. You were compelled to leave him?

A. Yes.

17 Q. How long did this conduct continue on his part as you have described it prior to the separation?

A. All during our married life.

18 Q. What would he do.

A. He drank and he would beat me.

19 Q. Did he beat you often?

A. Very often; most every time that he got drunk.

20 Q. How many times would you say?

A. On the average of two and three times a week sometimes.

21 Q. Were these beatings severe?

A. Yes, and if I would get out of his reach he



Birdie Lewis.

would throw things at me.

22 Q. Did he ever hit you.

A. Yes.

23 Q. And did he cut or bruise you.

A. Yes.

24 Q. Have you any scars on your body where he has beaten you.

A. Yes; over my eye.

25 Q. Did he properly support you.

A. No sir.

26 Q. Then how did you get along?

A. Why, I worked for my living.

27 Q. What did you do with your money that you earned?

A. I supported the home.

28 Q. Do you mean that you supported your husband?

A. Yes; partly.

29 Q. And how about his language towards you; what sort of language did he use.

A. Very rough.

30 Q. What do you mean?

A. Well, he would curse me.

31 Q. Was it profane and vile names?

A. Yes.

32 Q. And you say that this continued right up until the time of the separation?

Birdie Lewis.

A. Yes.

33 Q. What occurred then?

A. Why he was drunk and he neglected me and he beat me.

34 Q. What did he say?

A. He cursed and he told me that he was going to kill me if I did not get out,- if I did not do as he wanted me to do.

35 Q. And what did he want you to do?

A. He wanted me to give hi my money to gamble with.

36 Q. You had done that very thing before, had'nt you.

A. Yes. I had loaned him money, but not to gamble with, but he always did.

37 Q. And this time you would not do it, and he threatened to kill you and ordered you out of the house, did he?

A. Yes.

38 Q. Since that time has he provided or offered to provide a home for you?

A. No sir.

39 Q. Was there anything to prevent him doing so if he had wanted to.

Birdie Lewis.

A. No sir.

40 Q. When did he abandon and desert you in the manner you have described?

A. 12th., September 1913.

41 Q. Have you lived or cohabited with him since that time?

A. No sir.

42 Q. State whether or not his abandonment and desertion of you was deliberate and final; did he deliberately and finally abandon and desert you?

A. Yes.

43 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.

44 Q. You have asked for the right to resume the use of your maiden name; what is your maiden name?

A. Chinn.

45 Q. Prior to the final separation between you and your husband did you ever have him arrested for beating you?

A. Yes.

46 Q. How many times?

A. Twice.

Biridie Lewis.

47 Q. Was he found guilty or not guilty.

A. He was found guilty.

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  
Birdie Lewis

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

By the Examiner:

1 Q. State your name residence and occupation?

A. Elizabeth Murdock, 724 North Stricker Street; janitor.

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

A. Yes.

By Mr. Davis:

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 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.

Elizabeth Murdock.

A. Her conduct was very good.

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

A. Yes; she was always an honest, upright hard working woman.

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 was compelled to leave him.

9 Q. When?

A. September 12th., 1913.

10 Q. What happened at that time?

A. He went in and asked for some money, and because she would not give it to him, he tore all the place to pieces looking for her pocket book, and he cursed and swore, and called her all kinds of names, and ran her out of the house, with a great oath, saying what he would do to her.

11 Q. Now, you have heard the Plaintiff's testimony with reference to her husband beating her, is it true?

A. Yes. I have a mark from him myself.

12 Q. How do you know that it is true?

A. Because on several occasions when I

Elizabeth Murdock.

visited her, I know that he was fighting her.

13 Q. Did you ever see him beat his wife?

A. Yes.

14 Q. Many times or seldom?

A. Yes; I saw him beat her seven different times if not more.

15 Q. Were these beatings severe?

A. Yes.

16 Q. Did he cut and bruise her?

A. Yes; he bruised her; he bruised her every time that he beat her.

17 Q. And how about support; did he properly support her?

A. No sir; he never supported his home; he would take her money and pay all the expenses, and she even bought furniture with her money; I know that.

18 Q. Then she was practically husband and wife?

A. Yes.

19 Q. And how about his language towards her.

A. His language was the worse; he could not have used any worse language in his abuse of her.

20 Q. What sort of language was it?

A. Well, he would ask the Lord to damn her, and call her bitches and whores, and everything that he could call her.



Elizabeth Murdock.

21 Q. Did she ever have him arrested during the time that she lived with him?

A. Yes.

22 Q. How many times?

A. She had him locked up twice.

23 Q. Was he found guilty or not guilty?

A. He was found guilty each time.

24 Q. How long did this conduct continue on his part prior to the separation?

A. It continued all during the years that they were married.

25 Q. And then finally on the 12th., September 1913, what did he do?

A. He ran her out of the house and beat her and knocked her down and kicked her, and ordered her to the door and ran her down to my house.

26 Q. Has he provided or offered to provide a home for his wife since he abandoned and deserted her?

A. No sir.

27 Q. Was there anything to prevent him doing so if he had wanted to?

A. No sir.

28 Q. Has his abandonment and desertion of her continued uninterruptedly since September 1913?

A. Yes.

Elizabeth Murdock.

29 Q. State whether or not his abandonment of her has continued -- State whether or not his abandonment of her was deliberate and final?

A. Yes; it was.

30 Q. State whether or not there is any reasonable expectation of a reconciliation?

A. No sir; there is 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.---

No

Elizabeth murdock

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 27th day of November in the year of Our Lord nineteen hundred and twenty-three 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.