

IN THE CIRCUIT COURT OF

BALTIMORE CITY

B 75
10 1927

MARY PURVEY

VS.

STEVEN PURVEY

1316 Laurens St.

B 31504

(1)
BILL FOR DIVORCE.

Mr. Clerk:-

Please file.

Davis & Evans

ATTORNEYS FOR PLAINTIFF

DAVIS & EVANS
ATTORNEYS AT LAW

Filed 10 Feb 1927

MARY PURVEY

:

IN THE CIRCUIT COURT

VS.

:

OF

STEVEN PURVEY

:

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:

1. That she was married to her husband, Steven Purvey on the 12th day of August, 1916 and with whom she resided until the 6th day of December, 1916 when the defendant deserted the plaintiff.
2. That though the conduct of your Oratrix toward the said defendant 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 is one child born as result of said marriage, Clarence Purvey, age ten years for whom the plaintiff asks the custody.
5. Your Oratrix is destitute and without means of financing the expenses of this suit and she is advised by Counsel that she is entitled to have an order passed by this Honorable Court awarding her some amount as alimony pendente lite and some sum certain to compensate her solicitors. The defendant is employed

and earns about thirty-five dollars per week.

6. 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 said Steven Purvey.
- (b) That she may have the custody of her minor child, Clarence.
- (c) Alimony and Counsel fee.
- (d) 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 Steven Purvey, 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.

Javis H. Evans

ATTORNEYS FOR PLAINTIFF.

238

P178

Ct. Ct.

B-75
192 7 Docket No.

Mary Purvey

vs.

B3

Steven Purvey

1316 Lauran
SUBPOENA TO ANSWER BILL OF COMPLAINT

Pw

No. B-31504
(2) (4) (5)

Filed 14 Feb, 1927
" 14 March 1927
Davis & Evans
Sd 24 May 1927 SOLICITOR

14

Now Ent
(Kingsbury)

John E. Potee
Sheriff

ISSUED TO March Return Day, 1927
John E. Potee
Sheriff

non est
Kene

John E. Potee
Sheriff

ISSUED TO June Return Day, 1927
Chas. R. Whiteford
Clerk

Summoned and a copy of the process left
with the defendant.

(Hecht)
5/19/27

John E. Potee
Sheriff

Recd \$0.80

RECEIVED
THE SHERIFF

FEB 11 1927

EQUITY SUBPOENA

The State of Maryland

On Steven Purvey

1316 Laurens Street

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

Mary Purvey

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 10th day of January 1927. Issued the 11th day of February, in the year 1927.

Charles 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.

B Docket 75-1927

CIRCUIT COURT.

Mary Purvey
vs.
Steven Purvey.

Order for Alimony

Pendente Lite

ORDER

B No. 31504
() (3)

Fd: 11 Feb 1927
14

John E. Potts
Sheriff

Non Est
(12/12/27)

RECEIVED
THE SHERIFFS OFFICE
FEB 11 1927 4 00 PM

IN THE
CIRCUIT COURT
OF
BALTIMORE CITY

Mary Purvey

vs.

Steven Purvey

January TERM, 1927

ORDERED BY THE COURT this 11th day of February 1927

that the defendant Steven Purvey

pay to the plaintiff Mary Purvey

the sum of Fifteen

Dollars per week, during the continuance of this suit, accounting from the 26th 11th

day of February 1927 to the said plaintiff Mary Purvey

as alimony, *pendente lite* unless cause to the contrary be shown on or before the 18th 26th

day of February 1927 provided a copy of this Order be served on the said defendant

Steven Purvey on or before the 18th

day of February 1927

James P. Lorter

TRUE COPY—TEST:

CLERK

copy

B Docket.....

CIRCUIT COURT.

Purvey

vs.

Order for Alimony

Pendente Lite

ORDER

B No.

()

Fd:

IN THE
CIRCUIT COURT
OF
BALTIMORE CITY

Mary Purvey

vs.

Steven Purvey

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day of February 1927 provided a copy of this Order be served on the said defendant

Steven Purvey on or before the 18th

day of February 1927

James P. Gorter

TRUE COPY—TEST:

Chas R Whiteford
CLERK

75-1927

B 75
1927

Ct. Ct.

Docket

Mary Purvey

vs.

Steven Purvey

Decree Pro Confesso.

Depp
B 31504
No. (6)

Filed 5 July 1927

Mary Purney
vs.
Steven Purney

IN THE
Circuit Court
OF
BALTIMORE CITY.

Term, 192

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 5 day of July in the year nineteen hundred and twenty seven 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.

Eitman

Doc. 67B ⁷⁵/₁₉₂₇

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Mary Curvey
vs.
Steven Curvey

No. 31504B
177

PLAINTIFF'S COSTS

Examiners \$
Copies
Sheriff
Stenographer
\$ _____

DEFENDANT'S COSTS

Examiners \$
Copies
Sheriff
Stenographer
\$ _____

Feb 10 April 1928

3/13/28

.....
Mary Purvey
.....
vs.
.....
Steven Purvey
.....
.....

In the Circuit Court
.....
OF BALTIMORE CITY.

A Decree Pro Confesso having been passed in the above 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
..... fifth day of July 19 27, met on
the fifth day of July in the year nineteen
hundred and twenty-seven at my office, in the city of Baltimore, in the State
of Maryland, and assigned the fifth day of July
in the same year at two o'clock in the after-noon and the
office of Messrs. Davis & Evans, 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:—

MARY PURVEY : In the Circuit Court of
 VS. :
 STEVEN PURVEY : Baltimore City.

Testimony taken before me, A. deRussy Sappington,
 Examiner, in the offices of Messrs. Davis & Evans, in
 Baltimore, on July 5th, 1927, at 2:00 P. M.

Mr. J. Stewart Davis appeared for plaintiff.

Thereupon---

MARY PURVEY,

the plaintiff, of lawful age, produced on her own behalf,
 being duly sworn, testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A Mary Purvey, 3 Penn Street, Baltimore, practical nurse.

Q Do you know the parties to this suit?

A Yes, sir, I am the plaintiff and my husband is the defendant.

By Mr. Davis:

Q When, where and by whom were you and your husband married?

A On August 12th, 1916, by the Reverend Virgil, in Baltimore, Maryland.

Q And you lived together until when?

A Until December 6th, 1916.

Q Which one of you left the other, and why?

A I left him because he threatened my life and he had threatened me several times before. He threatened to kill me and this day he threatened me with a razor.

Q Had these threats continued from the time of your marriage?

A Yes, sir.

Q What was your conduct towards your husband?

A I treated him good.

Q Were you always a kind, faithful and affectionate wife to your husband?

A Yes, sir.

Q Did you give him any cause or reason to mistreat you?

A None at all.

Q Has this desertion on the part of your husband continued uninterruptedly since December 6th, 1916?

A Yes, sir.

Q Was it his deliberate and final act?

A Yes, sir.

Q Is there any hope of a reconciliation between you?

A None at all.

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

A Yes, sir, all my life.

Q Is your husband a resident of Maryland?

A Yes, he has lived here practically all his life, too.

Q Were any children born as a result of the marriage?

A One, Clarence Ellsworth Purvey, age nine.

Q Who has the child?

A I have. I have always had him.

Q Do you want the custody of the child?

A Yes.

Q How much is your husband contributing to the support of the child?

A Five dollars a week.

Q And you ask that that be continued?

A Yes, sir.

Q From the information you have received, what kind of work does your husband do?

A He helps a contractor, cement work.

Q

- - - -

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*

Mary Edith Purvey.

Thereupon---

GERTRUDE KEVE,

a witness, of lawful age, produced on behalf of the plaintiff, being duly sworn, testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A Gertrude Keve, 3 Penn Street, Baltimore, I run a coal and ice business.

Q Do you know the parties to this suit?

A Yes, I am the Mrs. Purvey's mother.

By Mr. Davis:

Q Did you attend their wedding?

A Yes.

Q After the wedding, did they live together as husband and wife and were they known in the community where they lived as husband and wife?

A Yes.

Q She states the separation occurred on December 6th, 1916 because he threatened her life with a razor, - is that correct?

A Yes, sir.

Q Where did she go then?

A She came home with me and never returned to her husband?

Q Did she complain of his having threatened her at other times?

A Yes.

Q What was her conduct towards her husband?

A She was a very good wife to him.

Q Was she always a kind, faithful and affectionate wife?

A Yes, sir.

Q Have you seen him since the separation?

A Yes, several times.

Q Has he ever indicated that he wanted to resume marital relations with your daughter?

A No, - he said he didn't want to.

Q Have you talked to him about his daughter and himself and their affairs?

A Yes, and he always said he didn't want to live with her again.

Q Has his abandonment of her continued uninterruptedly from December 6th, 1916 down to the present time?

A Yes, sir.

Q Have they ever lived or cohabited together since that time?

A No, sir.

Q Do you consider the separation his deliberate and final act?

A Yes.

Q Is there any hope of a reconciliation between them?

A No, sir.

Q How long has your daughter, the plaintiff, lived in Baltimore, Maryland?

A All her life. She was born here and has lived here all her life.

Q Is her husband a resident here, too?

A Yes, I know he has been here since 1916.

Q There is one child as a result of the marriage, nine years old, - is that correct?

A Yes, sir.

Q Who has the custody of the child?

A My daughter.

Q Is she a fit and proper person to have the care and custody of the child?

A Yes, sir.

Q With the help of her husband financially, will she be able to maintain and support the child and bring him up properly?

A Yes, sir.

Q

- - - -

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*

Gertrude K. Lee

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.....tenth.....day of...April..... in the year of Our Lord nineteen hundred and...twenty-eight.....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 fore-going 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.

75-1927
Circuit Court

B75-
19 27

Docket No.

Mary Purvey

vs.

Steven Purvey

Order of Reference
and Report

Syons

B No. 31584
(8.)

Order Filed 9 day of May 1928
Report Filed 21 day of May 1928

Mary Purvey
vs.
Steven Purvey

IN THE
Circuit Court
OF
BALTIMORE CITY

May Term, 1928

This case being submitted, without argument, it is ordered by the Court, this 9th day of May, 1928, that the same be and it is hereby referred to Wm P Lyons, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Wm P Lyons

Report of Auditor and Master

Bill for divorce a vinculo matrimonii, filed by the wife against her husband on the ground of abandonment. Code Art. 16; Sec. 37-42.

Defendant summoned but failed to answer.

Plaintiff's residence in Baltimore City for more than two years prior to the filing of the bill proved.

The marriage proved.

Abandonment uninterruptedly for three years, its finality and the irreconcilability of the parties proved.

Case made for awarding the guardianship and custody of the minor child of the parties to the plaintiff, and charging the defendant with the maintenance and support of said child.

Decree pro confesso was passed against the defendant and more than thirty days have since elapsed.

Case ready for decree.

William P Lyons
Auditor and Master.

May 10, 1928

CIRCUIT COURT

B -75
1927 No. Docket

MARY PURVEY

VS.

STEVEN PURVEY

Recorded

Folio 147 1928

Decree of Divorce

B No. 31504
(19)

Ed 23 May 1928

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

William P. Lyons
Auditor and Master.

Circuit Court

OF

BALTIMORE CITY

-----MARY PURVEY-----

VS.

-----STEVEN PURVEY-----

May Term, 192*8*

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

It is thereupon, this *23rd* day of *May*, A. D. 192*8*,

by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said -----
MARY PURVEY-----
the above named Complainant be and She is hereby DIVORCED A. VINCULO MATRIMONII from the
Defendant, -----STEVEN PURVEY-----

AND it is further ordered that the guardianship and custody of
CLARENCE ELLSWORTH PURVEY, minor child of the parties, be and they are
hereby awarded to the Complainant, MARY PURVEY, and the Defendant,
STEVEN PURVEY, be and he is hereby charged with the maintenance and
support of said child, and shall pay therefor to the Complainant the
sum of five dollars (\$5.00) per week, all subject to the further order
of this Court.

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

Eugene O. Dunne