

IN THE CIRCUIT COURT
OF
BALTIMORE CITY

688
1919

JOHN PLATER

VS

CIARA E. PLATER

Bill for Divorce A.V.M.

Mr. Clerk:-

Please file.

Howard D. O'Neill

Solicitor for Complainant

B 20107

(1)

FILED 17 October 1919

JOHN PLATER : IN THE
: :
: :
VS : CIRCUIT COURT
: :
: :
CLARA E. PLATER : OF BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

YOUR ORATOR COMPLAINING SAYS:-

1. That he was married to the defendant, Clara E. Plater, in the City of Baltimore, State of Maryland, on the 3rd, day of May 1888, by the Reverened Charles G. Key, a duly ordained minister of the Gospel, and lived together thereafter until about the month of *September*, 1903.

2. That one child is living as a result of said marriage, viz: Irwin Plater, aged 27 years.

3. That your Orator has been a resident of Baltimore City, State of Maryland for more than two years prior to the filing of this his Bill of Complaint, and is still a resident of Baltimore City aforesaid.

4. That the conduct of your Orator toward his said wife has always been kind, affectionate and above reproach.

5. That the said defendant, Clara E. Plater, without any just cause of reason deserted and abandoned your Orator in the month of *September*, 1903, and that said abandonment has continued uninterruptedly for more than three years prior to the filing of this Bill of Complaint, is deliberate and final, and the seperation of the parties is beyond any reasonable hope of expectation of a reconciliation.

6. That the defendant, Clara E. Plater is a non-resident of the State of Maryland and when last heard of was living at 364⁸ Filbert St. W. Philadelphia, Pa.

To The End Therefore,

That your Orator, John Plater, may be divorced a vinculo matrimonii from the defendant, Clara E. Plater.

And for such other and further relief as the nature of his case may require in the premises.

May it please Your Honor to grant unto your Orator the order of publication directed against the said absent defendant, Clara E. Plater, giving her notice of the object and substance of this Bill of Complaint, and warning her to be and appear in this Honorable Court, either in person or by solicitor, on or before some certain day to be named therein to show cause, if any she may have, why the relief prayed for should not be granted as prayed.

And as in duty bound, etc.

John Plater

Complainant.

Howard D. O'Neil
Solicitor for Complainant.

IN THE CIRCUIT COURT

BALTIMORE CITY

B685
1919

JOHN PLATER

VS

CLARA E. PLATER

ORDER OF PUBLICATION

320107

(2)

FILED

17 Oct 1919

JOHN PLATER	:	IN THE
	:	
	:	
VS	:	CIRCUIT COURT
	:	
	:	
CLARA E. PLATER	:	OF BALTIMORE CITY

ORDER OF PUBLICATION

The object of this suit is to procure a divorce a vinculo matrimonii by the plaintiff, John Plater, from the defendant, Clara E. Plater.

The Bill of Complaint recites that the parties were married in the City of Baltimore, State of Maryland on the 3rd, day of May, 1888, by the Reverend Charles G. Key, a duly ordained minister of the Gospel, and lived together thereafter until about the month of *September*, 1903.

That one child is living as a result of said marriage, viz: Irwin Plater, aged 27 years.

That the plaintiff has been a resident of the City of Baltimore, State of Maryland for more than two years prior to the filing of his Bill of Complaint, and is still a resident of Baltimore City aforesaid.

That the conduct of the plaintiff towards his said wife has always been kind, affectionate and above reproach.

That the defendant without any just cause or reason deserted and abandoned the said plaintiff in the month of *September*, 1903, and that said abandonment has continued for more than three years, is deliberate and final, and the separation of the parties is beyond any reasonable hope or expectation of a reconciliation.

That the defendant, Clara E. Plater is a non-resident of the State of Maryland, and when last heard of was living at 364⁷ Filbert St. W. Philadelphia, Pa.

It is thereupon ordered by the Circuit Court of Baltimore City, this *19* day of October, 1919, that the plaintiff, by causing a copy of this order to be inserted in some daily newspaper published in Baltimore City once a week for four successive weeks before the *17* day of November, 1919, give notice to the said absent defendant, Clara E. Plater

of the object and substance of this bill, warning her to be and appear
in this Honorable Court, in person or by solicitor, on or before the
4 day of *December* ~~November~~ 1919, to show cause, if any she has, why a
decree ought not to be passed as prayed.

James P. Gorter

1916⁶⁸⁸
7
Docket No.
K 59

Plater

vs.
Plater

Certificate of Publication

B 50107
(3)

THE DAILY RECORD.

Filed 5 day of Dec 1919

THE DAILY RECORD

Fourth Insertion.

Howard D. O'Neill Solicitor,
139 61 Calvert Building

IN THE CIRCUIT COURT OF BALTI-
MORI, CITY—(B-688-1919)—John Plat-
er vs Clara E Plater

ORDER OF PUBLICATION

The object of this suit is to procure a
divorce a vinculo matrimonii by the plain-
tiff, John Plater, from the defendant Clara
E Plater

The bill of complaint recites that the
parties were married in the City of Balti-
more, State of Maryland on the 3rd day
of May, 1888, by the Reverend Charles
G Key, a duly ordained minister of the
Gospel, and lived together thereafter until
about the month of September, 1903

That one child is living as a result of
said marriage, viz Irwin Plater, aged 27
years

That the plaintiff has been a resident of
the City of Baltimore, State of Maryland,
for more than two years prior to the filing

of this bill of complaint and is still a
resident of Baltimore City aforesaid

That the conduct of the plaintiff towards
his said wife has always been kind, affec-
tionate and above reproach

That the defendant without any just
cause or reason deserted and abandoned
the said plaintiff in the month of Septem-
ber, 1903, and that said abandonment has
continued for more than three years, is
deliberate and final, and the separation of
the parties is beyond any reasonable hope
or expectation of a reconciliation

That the defendant Clara E Plater, is
a non resident of the State of Maryland
and when last heard of was living at
3618 Filbert street, West Philadelphia, Pa

It is thereupon ordered by the Circuit
Court of Baltimore City, this 17th day of
October, 1919 that the plaintiff, by caus-
ing a copy of this order to be inserted in
some daily newspaper published in Balti-
more City once a week for four successive
weeks, before the 17th day of November,
1919 give notice to the said absent de-
fendant Clara E Plater, of the object and
substance of this bill warning her to be-
and appear in this Honorable Court, in
person or by solicitor on or before the
4th day of December 1919 to show cause,
if any she has why a decree ought not to
be passed as prayed

JAMES P GORTER

True copy—Test

CHAS R WHITEFORD,

018 2511 8

Clerk

Baltimore, NOV 8 - 1919 , 191

We hereby certify that the annexed advertise-

ment of Order

Publication Circuit Court

of Baltimore City, Case of

John Plater
vs *Clara E. Plater*

was published in **THE DAILY RECORD**, a daily

newspaper published in the City of Baltimore, once in

each of *Two* successive weeks before the

17th day of *November*, 1919

First insertion *October 18th*, 1919

THE DAILY RECORD.

Per *Thomas W. Crapster*

Ct. Ct.

1919

Docket 59B f688

John Plater

vs.

Clara E. Plater

Decree Pro Confesso.

gaff

No. 20107

(4)

Filed 14 June 1919

John Plater
vs.
Clara E. Plater

IN THE
Circuit Court
OF
BALTIMORE CITY.

Term, 191

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 14 day of June 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 F. Stanton

STATE OF MARYLAND,

BALTIMORE CITY, SCT :

I hereby certify that on this tenth day of June 1920. before me, the subscriber, a Notary Public, of the State of Maryland, in and for the City aforesaid, personally appeared John Plater and made oath in due form of law that ~~he~~ ~~(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.

J. Fred. Coura Jr.
Notary Public.

CIRCUIT COURT

688 B19
1919 Docket No.

John Plater
vs.

Clara Plater

ORDER OF APPEARANCE

Mr. Clerk

Please File

~~P. Edward Davis~~
Sol. for Plaintiff

13
No. 20107

57
Filed 12 day of July 1926

HANNA MILLER
LEIDCH

John Plater

John Plater vs.

IN THE
Circuit Court
OF
BALTIMORE CITY

Term, 19 20

Mr. WHITEFORD, Clerk.

Enter my appearance for ^{*Plaintiff*} ~~Defendant~~

J. Stewart Davis

Solicitor

688
1919
Circuit Court

1919 Docket No.

John Plater

vs.

Clara E. Plater

Order of Reference
and Report

File No B 20107
177

Order Filed 28 day of Sept 1920
Report Filed 1 day of Oct 1920

John Plater

vs.

Clara F. Plater

IN THE
Circuit Court

OF

BALTIMORE CITY

Sept Term, 1920

28"

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

Robert F. Stewart

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the husband against his wife on the ground of abandonment. Code 1911, Art. 16, secs. 36-41.

Defendant proceeded against as a non-resident and her non-residence proven.

Plaintiff's residence in Baltimore City for more than two years proven.

The marriage proven.

The abandonment for three years, its finality and the irreconcilability of the parties proven.

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

Case ready for decree.

Ward B. Cox
Auditor and Master.

Fee \$9 paid.

September 29th, 1920.

✓ 224

CIRCUIT COURT

B-688-

1919.

No. 59 Docket

JOHN PLATER

VS.

CLARA E. PLATER.

Decree of Divorce

B 20107
B No. 6

fd 6 October 1920

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

Mund B. Ouz
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

.....JOHN PLATER.....

VS.

.....CLARA E. PLATER.....

.....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 *seventh* day of *October*, A. D. 1920, by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said- - - - -
John Plater - - - - -

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, the said Clara E. Plater.

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

Robert F. Stanton

3/12/12/79

Doc. B 688
1919

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

John Plater

vs.

Clara E. Plater

No. *201075*
(6)

PLAINTIFF'S COSTS

Examiners.....\$ 8⁰⁰
Copies.....
Sheriff.....
Stenographer..... 1⁰⁰
\$ _____

DEFENDANT'S COSTS

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

fd 10. Sept 1920

John Plater

vs.

Clara E Plater

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 *fourteenth* day of *June* 19*20*, met on the *third* day of *August* in the year nineteen hundred and *twenty* at my office, in the City of Baltimore, in the State of Maryland, and assigned the *fourth* day of *August* in the same year at *four* o'clock in the *after* noon and the office of *Ms. Davis* 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:—

8-13.

John Plater,

v.

Clara E. Plater.

Testimony taken at the office of Mr. Davis, 2 East Lexington Street, Baltimore, Maryland, August 4th 1920, at 4 O'clock P. M.

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

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. John Plater, 1407 Etting Street; porter.

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. May 3rd., 1888.

2 Q. By whom?

A. The Reverend Mr. Keys.

3 Q. A Minister of the Gospel?

A. Yes.

4 Q. Are you and your wife living together now?

A. No; she left me.

5 Q. When?

John Plater.

A. September 1903.

6 Q. Are you a resident of Baltimore?

A. Yes.

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

A. Forty years.

8 Q. At the time of the filing of this suit was your wife a resident or a non-resident of the State of Maryland?

A. Non-resident.

9 Q. She living where at the time you filed this suit?

A. Philadelphia.

10 Q. What was your conduct towards your wife?

A. I worked and supported her.

11 Q. You worked and supported her, and were you kind and affectionate.

A. Yes.

12 Q. And a good husband?

A. Yes.

13 Q. Did she have to work?

A. No sir.

13 Q. What sort of work were you doing at the time?

A. Tolchester Steamboat Company.

14 Q. Waites?

John Plater.

A. Waiter.

15 Q. What sort of work were you doing at the time she left you?

A. Porter on the B. and O.

16 Q. State the circumstances of her abandonment of you?

A. I was railroading, and when I came back to Baltimore she was gone, you know, and I did not know where she was, and I did not hear any more from her until two years after that, and then I heard that she was in New York.

17 Q. Have you ever seen her since then?

A. I have seen her several times since then.

18 Q. Has she ever intimated that she intended to return to live with you.

A. No sir; one time I met her in New York and I asked her to come back, and she said that she was getting along all right and was not going to live with me.

19 Q. She said that she was getting along all right and was not going to live with you?

A. Yes.

20 Q. And that was september 1903.

A. Yes; that is when she left me/ but she told me that afterwards.

John Plater.

21 Q. Has this abandonment continued uninterruptedly since September 1903?

A. Yes.

22 Q. Is there any chance of your making up; is there any hope of a reconciliation?

A. No sir; none at all.

23 Q. Have you ever lived with your wife or cohabited with her since she left you?

A. No sir.

24 Q. There is one child born as the result of this marriage?

A. Yes; two children; the girl is dead.

25 Q. There is one child living?

A. Yes; one child living.

26 Q. What is his name?

A. Irving.

27 Q. How old?

A. Twenty-seven years old.

28 Q. Where were you living in May when she left you?

A. On Carey Street.

29 Q. What number?

A. 765, I think it was.

30 Q. State whether or not your wife's abandonment of you was deliberate and final.

John Plater.

A. Yes.

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

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. --- *Two*

John Plater

LOUIS GRINNELLY, 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. Louis Grinnelly, 340 Camel Street; waiter.
- 2 Q. Do you know the parties to this suit?
- A. Yes.

BY MR. DAVIS:

- 1 Q. Do you know whether or not they were married?
- A. They were lawfully married.
- 2 Q. Did you ever visit them at their home?
- A. I did.
- 3 Q. Were they living together as husband and wife?
- A. Yes; they were living together as husband and wife?
- 4 Q. And reputed in the neighborhood and the community in which they lived as husband and wife?
- A. Yes.
- 5 Q. Did they hold each other out as husband and wife?
- A. Yes.
- 6 Q. Do you know whether or not Mr. Plater ~~isa~~ resident of the City of Baltimore, State of Maryland, and has been for more than two years prior to October 27th., 1919?
- A. Why, he has been in Baltimore his entire life.

Louis Grennelly.

7 Q. Do you know whether or not the Defendant was a resident or a non-resident of the State of Maryland on October 7th., 1919?

A. She was a non-resident.

8 Q. Where was she to your knowledge at that time?

A. I finally learned that she was in Philadelphia; that was the last.

9 Q. When last heard of she was in Philadelphia, Pennsylvania.

A. Yes.

10 Q. What was the conduct of Mr. Plater towards his wife.

A. I always found him moral.

11 Q. Was he a good, kind and affectionate husband.

A. He always seemed to be a kind, good and affectionate husband.

12 Q. You visited the house often?

A. Yes; I knew them very well.

13 Q. Did he provide for his wife?

A. Yes.

14 Q. Did she do any work.

A. I never knew her to do anything except her household duties.

15 Q. Did he give her any cause or reason to

L. Grinnelly.

desert him?

A. No sir.

16 Q. They separated; and which left the other?

A. His wife left him.

17 Q. Left him in the house?

A. Yes.

18 Q. State how you know that?

A. Well, because Plater being at his occupation and on duty and when he returned he found his wife was gone, and consequently she could not be living with him.

19 Q. Did you visit the house frequently before September 1903?

A. I visited him mostly up until the time that he disposed of his house.

20 Q. But before september 1903 did you go to the house often.

A. I went to the house ever since they were married.

21 Q. They were living together as husband and wife then were they not?

A. Yes.

22 Q. Did you go to the house after september 1903?

L. Grinnelly.

A. Yes; that is how I come to find out the details.

23 Q. Was she there.

A. No; she was gone.

24 Q. What did Mr. Plater do?

A. He kept the house for a while.

25 Q. Did he tell you that she had left him?

A. Yes.

26 Q. What did he tell you?

A. That his wife had gone.

27 Q. How long did Mr. Plater continue to live in that house in which his wife deserted him after the desertion?

A. Well, about three or four weeks.

29 Q. Did she return in that time.

A. No sir.

30 Q. Has she ever returned to him.

A. No sir.

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

A. Yes; he had one son and he is living.

32 Q. He is grown?

A. Yes.

L. Grinelly.

33 Q. He is twenty-seven years old now.

A. Yes; he is a man now.

34 Q. Has the Plaintiff lived or cohabited with his wife since she left him?

A. No. I know that because he is close enough to me to tell such things as that.

35 Q. Is there any hope of a reconciliation between them?

A. No sir.

36 Q. Has this abandonment and desertion of the Plaintiff by the Defendant continued uninterruptedly for at least three years prior to the filing of this suit?

A. Yes.

38 Q. And was her desertion, her own deliberate and final act?

A. Yes; it was her own act.

39 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.

40 Q. Is she a resident of a non-resident of the State of Maryland?

L. Grinnelly.

A. Non-resident.

41 Q. Os what State is she a resident.

A. She is in new York now.

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.---

Yes
Lawrence J. General

JAMES DIGGS, 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. James Diggs, 1028 McCulloh Street; waiter.

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

A. I do, sir.

BY MR. DAVIS:

1 Q. Do you know that they are husband and wife?

A. Yes.

2 Q. Did you visit the house when they lived together as husband and wife?

A. Yes.

3 Q. Was their reputation in the community that of husband and wife?

A. Yes.

5 Q. And they held each other out as husband and wife?

A. Yes.

6 Q. Do you know whether or not Mr. Plater has been a resident of Baltimore City, State of Maryland, for at least two years prior to the filing of this Bill of Complaint.

James Diggs.

A. Yes.

7 Q. How long has he been living here?

A. I have been knowing him thirty years.

8 Q. And he has lived here all that time?

A. Yes.

9 Q. Do you know whether the Defendant was a resident or a non-resident of the State of Maryland at the time this suit was filed?

A. She was a non-resident.

10 Q. Where was she to your knowledge?

A. In Philadelphia, I heard.

11 Q. What was the conduct of Mr. Platertowards his wife?

A. His conduct was good; a good husband.

12 Q. A good husband.

A. Yes; a faithful husband.

13 Q. Did he provide for his wife?

A. Yes.

13 Q. And was his conduct kind, affectionate and above reproach?

A. Yes.

15 Q. Did she have to work?

A. No.

James Diggs.

16 Q. Did he give his wife any cause or reason to abandon and desert him?

A. No sir.

17 Q. Now, they separated, did they not.

A. Yes.

18 Q. Which left the other?

A. She left him.

19 Q. When?

A. 1903.

20 Q. Did you visit the house frequently before she left?

A. Yes.

21 Q. Were they living together as husband and wife then?

A. Yes.

22 Q. Where?

A. On Carey Street.

23 Q. Did you visit the house after she left?

A. No sir.

24 Q. Have you ever seen her with Mr. Plater since then?

A. No sir.

James Diggs.

25 Q. How do you know that she left him.

A. John and I worked together on steamboats, and I used to go frequently into his house,- sometimes two and three times a week, and I went to his house, and he was telling me that his wife was gone, and I asked him where his wife was gone, and he said that he did not know where she was, and I have not seen her since.

26 Q. Has this abandonment continued uninterruptedly for more than three years prior to October 27th., 1919?

A. Yes.

27 Q. For more than three years prior to the filing of this suit?

A. Yes.

28 Q. Was the desertion her own deliberate and final act?

A. Yes.

29 Q. Is there any hope of a reconciliation?

A. No sir.

30 Q. Has the Plaintiff ever lived or cohabited with his wife since the desertion?

A. No sir.

30 Q. There is one child born as the result of this marriage?

James Diggs.

A. Yes.

31 Q. Living and twenty-seven years old.

A. Yes.

31 Q. Outside of what you have already testified to with regard to the fact that she abandoned and deserted her husband, will you state whether or not it is a general known and well known fact among their relatives and friends that know them that she did actually abandon and desert her husband?

A. Yes; it is.

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 E. Diggs

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..... *10th* day of *September* in the year of Our Lord nineteen hundred and *twenty* at the City of Baltimore, in the State of Maryland.

A. de Russy Sappington (SEAL).
Examiner.

There are..... Exhibits with these depositions, to wit:

Plaintiff's..... Exhibit.....

Defendant's..... Exhibit.....

A. de Russy 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..... days, on..... of which I was employed by the Plaintiff....., and on..... by the Defendant.....

A. de Russy Sappington
Examiner.