

263  
1925

RUFUS TATE : IN THE SUPERIOR COURT

VS.

THE MAYOR & CITY COUNCIL : OF  
OF BALTIMORE, a body  
corporate,  
HOWARD L. CRISE and  
CORA EVANS : BALTIMORE CITY.

Mr. Clerk:-

Please enter the above case agreed and settled upon  
payment of costs by the defendant, the Mayor and City Council  
of Baltimore, a body corporate.

Bain + Evans  
ATTORNEYS FOR PLAINTIFF.

Philip B. Perlman  
City Solicitor  
atty for M & C C

IN THE SUPERIOR COURT OF  
BALTIMORE CITY.

RUFUS TATE

VS.

THE MAYOR AND CITY COUNCIL  
OF BALTIMORE, a body cor-  
porate,  
HOWARD L. CRISE and  
CORA EVANS.

ORDER OF SATISFACTION

Mr. Clerk:-

Please file.

*David Evans*  
ATTORNEYS FOR PLAINTIFF.

J. STEWARD DAVIS  
ATTORNEY AT LAW  
215 SAINT PAUL PLACE  
BALTIMORE, MD.

RUFUS TATE,

VS.

THE MAYOR AND CITY COUNCIL  
OF BALTIMORE, a body corporate,  
HOWARD L. CRISE AND CORA L. EVANS.

::  
IN THE  
::  
SUPERIOR COURT OF  
::  
BALTIMORE CITY.  
::  
::

Cora L. Evans, one of the defendants in the above entitled case, for herself only and not for any of the other defendants, by her attorney Charles Jackson, demurs to the declaration in the above entitled case and for reason for her said demurrer, says:

That the declaration in the above entitled case is bad in substance and insufficient at law.

*Chas. Jackson*  
ATTORNEY FOR DEFENDANT,  
CORA L. EVANS.

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 9<sup>th</sup> day of April, 1925, before me, the subscriber, a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid, personally appeared Cora L. Evans, and made oath in due form of law that the foregoing demurrer is not filed for the purpose of delay.

AS WITNESS my hand and Notarial Seal.

*Marie J. Washemuth*  
NOTARY PUBLIC.

474  
10

IN THE  
SUPERIOR COURT OF BALTIMORE  
CITY

RUFUS TATE,  
VS.

THE MAYOR AND CITY COUNCIL  
OF BALTIMORE, a body  
corporate, HOWARD L. CRISE  
AND CORA L. EVANS.

DEMURRER.

MR. CLERK:

PLEASE FILE, ETC.

*Chas. Jackson*  
ATTORNEY FOR DEFENDANT,  
CORA L. EVANS.

*Service of copy admitted  
this 10th day of April 1920*

*[Signature]*  
Atty. for Plaintiff

CHARLES JACKSON  
ATTORNEY AT LAW  
110 E. LEXINGTON ST.  
BALTIMORE, MD.

*for 11 April 1920*

RUFUS TATE,

:::

VS.

:::

THE MAYOR AND CITY COUNCIL  
OF BALTIMORE, A BODY COR-  
PORATE, HOWARD L. CRISE, AND  
CORA L. EVANS.

:::

:::

:::

IN THE

SUPERIOR COURT OF BALTIMORE CITY.

Howard L. Crise, one of the defendants in the above entitled case, for himself only and not for any of the other defendants, by his attorney Charles Jackson, demurs to the declaration in the above entitled case and for reason for his said demurrer, says:

That the declaration in the above entitled case is bad in substance and insufficient at law.

*Chas. Jackson*  
ATTORNEY FOR DEFENDANT,  
HOWARD L. CRISE.

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 25<sup>th</sup> day of March, 1925, before me, the subscriber, a Notary Public of the State of Maryland in and for the City aforesaid, personally appeared Howard L. Crise, and made oath in due form of law that the foregoing demurrer is not filed for the purpose of delay.

AS WITNESS my hand and Notarial Seal.

*Marie J. Wachemuth*  
NOTARY PUBLIC.

278 mck

IN THE  
SUPERIOR COURT OF BALTIMORE  
CITY.

RUFUS TATE,

VS.

THE MAYOR AND CITY COUNCIL  
OF BALTIMORE, A BODY COR-  
PORATE, HOWARD L. CRISE AND  
CORA L. EVANS.

DEMURRER.

MR. CLERK;

PLEASE FILE, ETC.

*Chas. Jackson*  
ATTORNEY FOR DEFENDANT,  
HOWARD L. CRISE.

Service of copy of within  
admitted this 26 day of  
March, 1925.

*David Evans*  
ATTORNEY FOR PLAINTIFF.

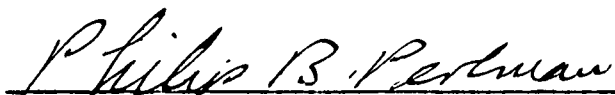
CHARLES JACKSON  
ATTORNEY AT LAW  
110 E. LEXINGTON ST.  
BALTIMORE, MD.

*26 mck 1925*

RUFUS TATE, :  
 :  
VE. : IN THE SUPERIOR COURT  
 :  
THE MAYOR AND CITY COUNCIL : OF  
OF BALTIMORE, a body corporate, : BALTIMORE CITY.  
HOWARD L. CRISE and  
CORA L. EVANS. :  
 :

Now comes the Mayor and City Council of  
Baltimore, a body corporate, one of the above named defendants, by  
City Solicitor Philip B. Perlman, its attorney, and for a plea to  
the plaintiff's declaration filed herein against it says:

That it did not commit the wrongs alleged.

  
\_\_\_\_\_  
City Solicitor, Attorney for Mayor  
and City Council of Baltimore.

IN THE SUPERIOR COURT OF  
BALTIMORE CITY.

763

---

RUFUS TATE,

VS.

THE MAYOR AND CITY COUNCIL OF  
BALTIMORE, a body corporate,  
HOWARD L. CRISE and CORA L. EVANS.

---

PLEA.

---

Mr. Clerk:-

Please file.

*Philip B. Schuman*  
City Solicitor, Attorney  
for Mayor and City Council of  
Baltimore.

FILED MAR 11 1925



No. 22

File No. \_\_\_\_\_

Rufus Tate

vs.

Maccatal

In the

Supreme Court

Mr. Clerk:

Service admitted in the above entitled case on behalf of the Mayor and City Council of Baltimore.

Copies of cert and

now held

Philip B. Culver City Solicitor.

Jan 5 1925

(WRIT OF SUMMONS)

# STATE OF MARYLAND,

BALTIMORE CITY, to wit:

TO THE SHERIFF OF BALTIMORE CITY, GREETING:

You are hereby commanded to summon.....  
The Mayor & City Council of Baltimore and.....  
Howard L. Crise and Cora L. ~~Evans~~ Evans.....  
3/11/25-19

of Baltimore City, to appear before the Superior Court of Baltimore City, to be held at the Court House in the  
same city, on the second Monday of March inst ~~XXXX~~ to answer  
an action at the suit of Rufus Tate

and have you then and there this writ.

Witness, the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore City,

the 12th day of Jan 1925

Issued 5th day of March 1925

*Stephen Kittle* Clerk.

9581

You have been summoned to appear in Court on the Second Monday of March 1925 Personal attendance in Court on the day named is not required; but, unless within such number of days thereafter as the law limits, legal defense is made to the above mentioned suit, a judgment by default may be entered against you.

No. 278..... 263/1925 Su. Ct.

Rufus Tate

vs.

Mayor & City Council et al

2619 N Charles St  
~~1124 Madison~~

**Writ of Summons**  
and copy

3 Copy of Nar, and Notice to Plead Within  
to be served on Defendant.

Davis & Evans

Attorney.

MAR 9 1925

Filed

day of

1925

~~9-10~~ 20

*Summons of the Mayor and City Council of Baltimore City  
a copy of the original and a copy of the original to each  
of the members of the Board of Health and the Board  
of Police and the Board of the City Solicitor. The City Solicitor has  
forwarded 2 copies and one to the Mayor and one to the  
Board of Health and one to the Board of Police.  
Buck  
3/6/25  
Dorsey -  
John F. Peters  
Shurys*

*John F. Peters*

*John F. Peters*

*MAR 9 - 1925 Renewed to April 12  
Summons and notice to plead and a copy of the  
defendant's answer filed with each  
Dorsey 3/11/25  
4/18/25  
Shurys*

No. 23

File No. \_\_\_\_\_

<i>Elsie Tate</i>	}	<i>In the</i>
vs.		<i>Superior Court</i>
<i>McCord</i>		_____

Mr. Clerk:

Service admitted in the above entitled case on behalf of the Mayor and City Council of Baltimore.

*Copies of writ and*

*return well*

*Philip W. Carlson* City Solicitor.

*1*

*3/6* 192*5*

(WRIT OF SUMMONS)

# STATE OF MARYLAND,

BALTIMORE CITY, to wit:

TO THE SHERIFF OF BALTIMORE CITY, GREETING:

You are hereby commanded to summon.....

The Mayor & City Council of Baltimore and

Howard L. Crise and Cora L. Evans

*3/11/25-19*

of Baltimore City, to appear before the Superior Court of Baltimore City, to be held at the Court House in the same city, on the second Monday of March inst ~~next~~, to answer an action at the suit of Elsie Tate

and have you then and there this writ.

Witness, the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore City,

the 12th day of Jan 192 5

Issued 5th day of March 192 5

*Stephen C. Little*

Clerk.

P. 571

You have been summoned to appear in Court on the Second Monday of March 1925 Personal attendance in Court on the day named is not required; but, unless within such number of days thereafter as the law limits, legal defense is made to the above mentioned suit, a judgment by default may be entered against you.

No. 277 ..... 263/1925 Su. Ct.

Elsie Tate

2810 St Paul St

vs.

Mayor & City Council et al

2619 N Charles St

1124 Madison

**Writ of Summons**  
and copy

Copy of Nar, and Notice to Plead Within to be served on Defendant.

Davis & Evans

Attorney.

Filed day of 192

3-10-20

*Summons of the Mayor and City Council of Baltimore City a Corporation and a copy of nar and notice to plead within 10 days of the date of the process left with the City Detective Howard Davis & Evans and served on Elsie Tate 3/6/25 Dorey & O'Neil Sheriff*

*John O'Neil Sheriff*  
*Renewed to April 20*  
*Summons auto and a copy of nar and notice to plead left with each defendant*  
*(Dorey) 4/8/25 4/11/25 R. H. Kel.*  
*John O'Neil Sheriff*

RUFUS TATE

:

IN THE SUPERIOR COURT

VS.

:

THE MAYOR AND CITY COUNCIL  
OF BALTIMORE, a body cor-  
porate,

OF

HOWARD L. CRISE and  
CORA L. EVANS

:

BALTIMORE CITY.

---

Rufus Tate by his attorneys, Davis and Evans sues the Mayor and City Council of Baltimore City, a body corporate, Howard L. Crise and Cora L. Evans.

I. For that at the time of the grievance hereinafter mentioned, the Mayor and City Council of Baltimore City, a body corporate was in duty bound to so maintain the public highways of Baltimore City so that they would not become dangerous to persons, who were lawfully using the same; that the other defendants were the owners of certain premises known as No. 503,505 and 507 Oxford street in the City of Baltimore, State of Maryland; that the defendants negligently, illegally and wrongfully permitted the sidewalk before the aforementioned premises to remain in such a dilapidated and torn up condition that the said sidewalk was dangerous to pedestrians lawfully and carefully walking upon the said sidewalk. That the said sidewalk before the aforementioned premises is a part of Oxford Street, a public highway of the City of Baltimore, That on or about the 13th day of December, 1924 the plaintiff's wife, Elsie Tate, while passing along said sidewalk and using due care and diligence on her part, fell into a depression in said sidewalk causing her to fracture one of her limbs and to otherwise become seriously injured about the head, body and limbs.

That as a result of said accident, the plaintiff was

deprived of and lost the services and society of his wife, the said Elsie Tate for a long time, to wit: from thence, hitherto; during all of which time the plaintiff was forced to and did spend divers sums of money in an effort to cure his wife, the said Elsie Tate, of her hurts and wounds occasioned as aforesaid.

And the plaintiff says that the injuries of Elsie Tate and the plaintiff's damages suffered therefrom were caused by reason of the negligence, carelessness and want of due care on the part of the defendants and not through any negligence on the part of the plaintiff or Elsie Tate contributing directly thereto.

WHEREFORE the plaintiff claims \$5000.00 damages.

*Davis & Evans*  
ATTORNEYS FOR PLAINTIFF.

The plaintiff elects to have this case tried before a Jury and prays leave of Court to do so.

*Davis & Evans*  
ATTORNEYS FOR PLAINTIFF.

TO THE DEFENDANTS:

TAKE NOTICE: That on your appearance to this action in The Superior Court of Baltimore City, a rule will be entered requiring you to plead to the aforesaid declaration within thirty days thereafter.

*Davis & Evans*  
ATTORNEYS FOR PLAINTIFF.



IN THE SUPERIOR COURT OF

278 BALTIMORE CITY. 763  
1925

RUFUS TATE

VS.

THE MAYOR AND CITY COUNCIL  
OF BALTIMORE, a body cor-  
porate,  
HOWARD L. CRISE and  
CORA L. EVANS

*Action on Writ*

Mr. Clerk:-

Please file.

BOX No. 2422

*Davis & Evans*  
ATTORNEYS FOR PLAINTIFF.

J. STEWARD DAVIS  
ATTORNEY AT LAW  
215 SAINT PAUL PLACE  
BALTIMORE, MD.

FILED MAR 5 1925

*sustained*

21/9/97/7

*Rem to 5th*