

In The Circuit Court  
of B 368  
Baltimore City 1919

James Scott  
vs

Hester Scott

Bid for Divorce a. vin-  
culo matrimonii

Mr. Clerk please file

B 19492  
(1)

J. Stewart Davis  
118 E. Lexington St.  
At 13 June 1919

James Scott  
Vs.  
Hester Scott

In The Circuit Court  
of  
Baltimore City.

.....

To The Honorable, The said Judge of said Court:

Your Orator, complaining, respectfully says:

First: That the parties hereto were married in Baltimore city on the 25th. day of January, 1904 by Rev. G. A. Coleman, a minister of the gospel; and that they lived together as man and wife until on or about the 1st. day of January, 1905.

Second: That Your Orator has ever been a good and faithful husband to the said defendant.

Third: That the defendant did, on or about the 1st. day of January, 1904, wilfully abandon and desert Your Orator, without just cause; and that said desertion and abandonment has been for over three years, continuous and final, and is beyond any reasonable hope of reconciliation.

Fourth: That since the said desertion, Your Orator has not lived with the defendant nor has he condoned the said desertion.

Fifth: That both parties to this suit are residents of the city of Baltimore, and have been for more than two years prior to the filing of this bill.

Sixth: That there are no children as result of said marriage.

Wherefore, Your Orator prays:


a. That a decree be passed divorcing Your Orator a vinculo matrimonii.

b. Such other relief as the case may require.

May it please Your Honor to grant unto Your Orator a

writ of subpoena, directed unto the said defendant, commanding her to be or to appear in this Court on some day certain to be herein named and to perform such decree as may be passed in the premises.

As in duty bound etc.



Solicitor for Complainant.

147

368 359 Ct. Ct.  
191 Docket No.

Scott  
in bonnell  
Scott  
900 Abraham St

SUBPOENA TO ANSWER BILL OF COMPLAINT

Pro  
6-16-19  
No. 19492

{ 2 }  
June 1919  
J. Stewart Davis  
SOLICITOR

3

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

Thomas J. M. Mully  
Sheriff

(Finkelstein) 7/19/19

Freest 52

1027 Mackinac St

EQUITY SUBPOENA

The State of Maryland

To

*Hester Scott*

of Baltimore City, 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 *July* 191*9* to answer the complaint of

*James Scott*

against you in said Court exhibited.

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

WITNESS, the honorable MORRIS A. SOPER, Chief Judge of the Supreme Bench of Baltimore City, the *12* day of *May* 191*9*

Issued the *13* day of *June* in the year 191*9*

*Chas R Whiteford* Clerk.

Notice to the person summoned:

"Personal attendance in Court on the day named in the above writ is not required; but unless within such number of days thereafter as the law limits, legal defence is made in the above mentioned suit a Judgment by default may be entered against you "

*B 368*  
*1919*  
IN CIRCUIT COURT  
OF  
BALTIMORE CITY.

James Scott

VS.

Hester Scott.

Answer to Bill of  
Complaint.

*B 19492*

Mr. Clerk: *f*

*(3)*  
Please file &c.,

*R. B. Bond*  
Sol. for Defendant,  
215 Courtland St.

*Ed J June 1919*

James Scott )  
                  ) VS. ) IN CIRCUIT COURT  
                  ) OF )  
Hester Scott ) BALTIMORE CITY.  
                  )

To the Honorable, the Judge of said Court:

Your Respondent in answer to the Bill of Complaint before this Court exhibited respectfully shows:


FIRST: She admits that she was married to the Plaintiff as alleged in said bill, and that she has not lived with her husband for fourteen years.

SECOND: She denies emphatically the second, third, and fourth paragraphs, and to the contrary says that her husband has not been a good and faithful companion and in fact has been just to the contrary, that is to say, that he never provided for your Respondent as he should have, but that he wasted his money on gaming and good times. That the allegations contained in the Plaintiff's Bill relative to her deserting him are entirely untrue, and without foundation.

THIRD: She admits the fifth and sixth paragraphs of said bill.

Having answered all the material allegations she respectfully prays this Honorable Court, that the bill for absolute divorce as filed by James Scott be dismissed.

As in duty bound she will ever pray.

  
\_\_\_\_\_  
Solicitor for Defendant.

B 368  
1919

IN THE CIRCUIT COURT  
OF  
BALTIMORE CITY.

James Scott  
1027 E. Madison St

vs.

Hester Scott.  
B 19492

Petition for Alimony  
and Counsel fee.  
(4)

Mr. Clerk:-

Please file &c.,

Raymond  
Sol for Defendant  
215 Courtland St

At 18 June 1919



James Scott  
VS.  
Hester Scott

IN THE CIRCUIT COURT  
OF  
BALTIMORE CITY.

To the Honorable, the Judge of said Court:

Petition for Alimony and Counsel fee:

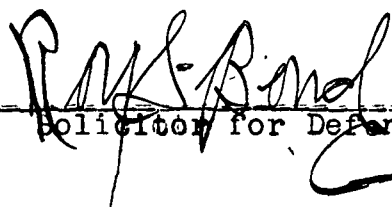
FIRST: That a bill for absolute divorce on the ground of abandonment was filed against her by her husband on or about the 13th day of June 1919. That the allegations therein contained have been emphatically denied in the answer of your petition hereto-fore filed.

SECOND: That she is without means to defray the expenses of this litigation, and that her husband has an income of about fifteen dollars (\$15) a week; that she is advised by Counsel that she is entitled to have an order passed, granting her a certain sum as alimony and a further sum to compensate her solicitor in this case.

To the end therefore she respectfully prays:

That an order be passed by this Honorable Court granting your petitioner alimony and counsel fee in such sums as may be equitable and proper.

As in duty bound she will ever pray,

  
Solicitor for Defendant.

State of Maryland\*  
Baltimore City \*to wit\*  
\*

Personally appeared before me, A Notary Public of Baltimore City, State of Maryland, Roy S. Bond, in behalf of Hester Scott, who did solemnly swear and declare that the facts contained in the defendant's petition were true to the best of his knowledge and belief.

As witness my hand and Notarial Seal this  
18<sup>th</sup> day of June 1919.

James E. Webb  
Notary Public.

B59 Docket 368  
1919

# Circuit Court

Scott  
1027 E Madison  
vs.  
Scott

Order Counsel Fee and Alimony

Pendente Lite

B  
No. 19492

(5)

3  
JH 19 June 1919

Copy of the within Order of Court, served on  
James Scott on the 24 day of June, 1919,  
in presence of Michael McKeilly,

See p. 50

Thomas F. McKeilly  
Sheriff

—IN THE—  
**CIRCUIT COURT**

—OF—  
**BALTIMORE CITY**

May TERM

James Scott  
vs.  
Hester Scott

ORDERED BY THE COURT this 19 day of June 1919

that the Plaintiff James Scott  
pay to the Defendant Hester Scott

the sum of Twenty five Dollars as Counsel Fee for the  
Solicitor of the Defendant and that he further pay the sum of Ten

Dollars per week, during the continuance of this suit, to the said Defendant Hester Scott

as Alimony, *pendente lite*, unless cause to the contrary be shown on or before the 5  
day of July 19 19, provided a copy of this Order be served on the said Plaintiff

James Scott on or before the 27

day of June 19 19

James P. Gorten

TRUE COPY—TEST:

CLERK

368 Cir. Ct.

191 9 359 Docket No.

James Scott

Hester Scott<sup>vs.</sup>

GENERAL REPLICATION

Mr. Clerk,

Please file,

Steven Davis

Solicitor for Plaintiff.

B 19492

No. (6)

Filed 26 June 1917

James Scott  
Hester vs. Scott

In the CIRCUIT COURT  
of Baltimore City

TERM 191

The Plaintiff join issue on the matters alleged in the answer of

Hester Scott

so far as the same may be taken to deny or avoid the allegations of the bill

(S. Davis)

Solicitor for Plaintiff.

*Walter*

**CIRCUIT COURT**

*368*  
*1919* *259* Docket No.

*James Scott*

vs.

*Hester Scott*

Order

19

Petition for leave to take  
Testimony and Order  
of Court thereon.

*Can*  
*B*

No. *19492*

*< 7 >*

Fd. *26 June* 19 *19*

James Scott

vs.  
Nester Scott

IN THE  
Circuit Court  
OF  
BALTIMORE CITY

To the Honorable the Judge of the  
Circuit Court of Baltimore City:

THE PETITION OF James Scott

in this case, respectfully shows that *he* desire~~s~~ to take testimony in this case, and respectfully pray~~s~~ that leave be granted *him* to do so before one of the Standing Examiners of this Court.

*J. Stewart Davis*  
Solicitor for

ORDERED, this *26* day of *June* 19*19* that leave be granted to the parties to the cause, to take testimony, as prayed, before any one of the Standing Examiners of this Court.

*James P. Gorden*



*Mr. [unclear]*

368 Circuit Court

19 19359 Docket No.

*James Scott*

vs. *Hotel Scott*

SUBMISSION FOR DECREE.

Mr. Clerk,

Please file,

*[Signature]*  
Solicitor for Plaintiff.

No. 19492

(9)  
Filed 7 July 1919

James Scott

vs.  
Walter Scott

*In the Circuit Court  
of Baltimore City*

TERM 19\_\_

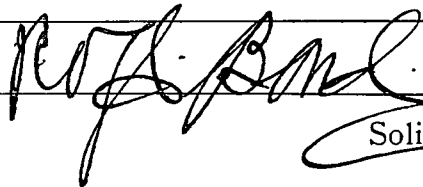
To the Honorable

\_\_\_\_\_  
Judge of Said Court:

The above cause is respectfully submitted for  
decree and the 43rd General Equity Rule is hereby waived.



\_\_\_\_\_  
Solicitor for Plaintiff,



\_\_\_\_\_  
Solicitor for Defendant.

Circuit Court

368  
1919 *359* Pocket No. ....

*James Scott*

vs.

*Hester Scott*

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Order of Reference  
and Report

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*Robinson*

No. *19492*  
*(10)*

Order Filed *7* day of *July* 19*19*  
Report Filed *22<sup>nd</sup>* day of *July* 19*19*

Sam Scott

vs.

Mrs. Scott

IN THE  
Circuit Court  
OF  
BALTIMORE CITY

Term, 19

This case being submitted, without argument, it is ordered by the Court, this 7<sup>th</sup> day of July, 1915, that the same be and it is hereby referred to Alexander H. Robertson, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

*Alexander H. Robertson*

Report of Auditor and Master

Bills filed by husband against wife for a divorce a vinculo matrimonii for abandonment for three years Code Art. 6.5.36  
Defendant summoned and answers  
Proof of ship's message evidence and abandonment of plaintiff for at least three years continuous deliberate and without hope of reconciliation Case ready for divorce  
Alex H. Robertson  
Auditor and Master

3 copies 1916

# CIRCUIT COURT

B 368  
1919 No. Docket

James Scott.

VS.

Hester Scott.

## Decree of Divorce

B No. 19492

117

fd 23" July 1919

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

*Alex. McLean*  
Auditor and Master.

Decree of Divorce

IN THE

**Circuit Court**

OF

BALTIMORE CITY

James Scott.

VS.

Hester Scott.

*July*

Term, 1919

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

It is thereupon, this *23<sup>rd</sup>* day of *July*, A. D. 1919

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

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, Hester Scott.

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

*H. Arthur Stump*

Docket B. 368/1919

IN THE CIRCUIT COURT

3/12/57

James Scott

vs

Hester Scott

**DEPOSITIONS**

B No. 19492  
(8)

**PLAINTIFF'S COSTS**

Examiner.....	\$ 8.00
Copies.....	
Notices.....	
Sheriff.....	
Stenographer.....	1.00

\$ 9.00 Paid

**DEFENDANT'S COSTS**

Examiner.....	\$
Copies.....	
Notices.....	
Sheriff.....	
Stenographer.....	

\$

ALFRED J. CARR, Examiner

Filed 5 day of July 1919

James Scott

vs

Hester Scott

In the Circuit Court

OF BALTIMORE CITY

The above entitled cause being at issue

and notice having been given me by the Solicitor for the Plaintiff  
of a desire to take testimony in the same, I, ALFRED J. CARR, 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  
26th day of June 1919, met on  
the 30th day of June in the year nineteen  
hundred and nineteen at my office, in the City of Baltimore, in the State  
of Maryland, and assigned the second day of July  
in the same year at 1.30 o'clock in the after noon and the  
office of the Examiner, 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 s of the  
respective parties to take the following deposition, that  
is to say:—



JAMES SCOTT, the Plaintiff, produced as a witness on his own behalf, being duly sworn, deposes and saith as follows-that is to say-

BY THE EXAMINER:

1 Q- State your name, residence and occupation ?

A- James Scott, 1027 E. Madison street. I am a Teamster.

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

A- I am James Scott, the plaintiff, and Hester Scott is my wife.

BY MR DAVIS:

3 Q- State when, where and by whom you were married ?

A- We were married January 25th, 1904, on Hillman street, where I lived, by Rev. Coleman, Pastor of the Church of Christ's Institution.

4 Q- Were there any children born as a result of this marriage ?

A- No sir.

5 Q- Have you or not been a resident of Baltimore, Maryland, for more than two years prior to June, 1919 ?

A- I have lived in Baltimore, Maryland, all my life, and my wife has lived here ever since I have known her except when away on a visit.

6 Q- Are you and your wife now living together ?

A- No sir.

James Scott.

7 Q- When did you separate and which one left the other?

A- My wife left me about January 1st 1905.

8 Q- Where were you living at that time ?

A- 729 Stirling street. .

9 Q- How did you treat your wife ?

A- I was a good, true, faithful husband to her and provided for her well.

10 Q- How did she treat you?

A- She would take the money that was for the rent and household expenses and spend it for drink and get drunk. She would quarrel and fight.

11 Q- What happened on the 1st of January 1905, the day you say your wife left you ?

A- I got up in the morning and went to work. After I left my wife got drunk and she come down to the place where I was working and raised a fuss, and said I could not work there. She threw bricks at me. Then she left saying "You cant come to my home any more." When I went home I could not get in, the house was locked, I could not get in.

12 Q- Did you or not ever get in?

A- She did not come back so I could get in, and about a week after she left me the landlord had a constable open the place and when I went in she had taken all but what the furniture man owned, and the constable set that

James Scott.

out in the street, and I do not know what became of it.

13 Q- Have you seen or heard from your wife since she left you ?

A- I have seen her but never had no talk with her.

14 Q- Where has your wife lived since she left you ?

A- Now she is living on Abraham street.

15 Q- Who with?

A- With a man. She has lived several places since she left me and has had several men.

16 Q- Have you lived with or cohabited with your wife since she left you in January 1905 ?

A- No sir.

17 Q- Now, state whether or not the abandonment of you by your wife has continued uninterruptedly for more than three years prior to June 13th, 1919, when this case was filed ?

A- Yes, over three years; since January 1905.

18 Q- Was the said abandonment of you by your wife her own deliberate and final act ?

A- Yes. She had no reason to leave me. She said I should not come in the house.

19 Q- Is there or not any reasonable hope or expectation of a reconciliation between you ?

A- No sir.

Mr Bond: No Cross Examination.

Question by the Examiner:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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.

Answer:

*No*

*Witness*  
*Charles Smith*

*(James Scott*  
*made*

CHARLES SMITH, a witness produced on behalf of the Plaintiff, being duly sworn, deposeth and saith as follows- that is to say-

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- Charles Smith, 733 Stirling street. I am a Stevedore

2 Q- Do you know the parties to this suit, Mr and Mrs Scott

A- Yes, Mr Scott for 30 years and Mrs Scott about over 20 years.

BY MR. DAVIS:

3 Q- Are they man and wife, if so, state how you know it?

A- I know they were married, I was not in the house at the time, but I was outside, and I know they lived together as man and wife for about a year.

4 Q- Were there any children as a result of this marriage?

A- No.

5 Q- Have the parties to this suit lived continuously in Baltimore City, Maryland, for more than two years prior to the filing of this suit ?

A- Yes, ever since I have known them.

6 Q- Are the parties to this suit now living together ?

A- No sir. Mrs. Scott left him about January 1905.

7 Q- What caused her to leave him ?

A- She was always getting drunk and fussing and quarreling. On the day she left him she was drunk and she threw

Charles Smith.

bricks at him, I was there at the time, and I heard her tell him he could not come in the house again. She left, and I know when he got home he could not get in, she was gone.

8 Q- How did he treat his wife ?

A- He was good to her, he gave her all his earnings and she spent it for drink.

9 Q- Have the parties to this suit lived or cohabited together since January 1905 ?

A- No sir.

10 Q- Has or not the abandonment of Mr Scott by Mrs Scott continued uninterruptedly for more than three years prior to June 13th 1919 ?

A- Yes sir, fourteen years.

11 Q- Was the abandonment of Mr Scott by Mrs Scott her own deliberate and final act ?

A- It was her own act; she left him.

12 Q- Is there or not any reasonable hope or expectation of a reconciliation between these parties ?

A- No sir, I should say none.

Mr Bond: No Cross Examination.

-----

Question by the Examiner:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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.

Answer:

*No*

*Charles Smith*

JOHN N. COX, a witness produced on behalf of the Plaintiff, being duly sworn, deposes and saith as follows- that is to say-

By the Examiner:

1 Q- State your name, residence and occupation ?

A- John N. Cox; 1025 E. Madison street. Whitewasher.

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

A- Yes, Mr Scott since he was born and Mrs Scott over 20 years.

BY MR DAVIS:

3 Q- Are they or not man and wife ?

A- They are; they have admitted it to me.

4 Q- Were there any children born of their marriage ?

A- No.

5 Q- Have Mr and Mrs Scott been residents, continuously, of Baltimore City, State of Maryland, for more than two years prior to June, 1919 ?

A- Yes sir, ever since I have known them they have lived in Baltimore, Md.

6 Q- Are the parties to this suit now living together ?

A- No sir. Mrs Scott left her husband in January 1905.

7 Q- Do you know what caused her to leave him.

A- She was always drinking and fussing and quarrelling with him. The day she left him I was working at the store



John N. Cox.

next to where Mr Scott was at work. I saw her come there and throw bricks at him, and then she left and went to the house, just over from the place where I was at work, and I saw her lock up the house. And I was there about a week afterwards when the constable set the things out.

8 Q- How did Mr Scott treat his wife?

A- He treated her good, and he gave her all his money and she spent it for drink.

9 Q- Have Mr and Mrs Scott lived together or cohabited together since they separated in January 1905 ?

A- No sir.

10 Q- Has the abandonment of Mr Scott by his wife continued uninterruptedly for more than three years prior to June 1919, when this case was filed ?

A- Yes sir, ever since 1905.

11 Q- Was the abandonment of Mr Scott by his wife her own deliberate and final act ?

A- It was; she left him.

12 Q- Is there or not any reasonable hope or expectation of a reconciliation between them?

A- No sir, none.

Mr Bond: No Cross Examination.

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Question by the Examiner:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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.

Answer:

No other matter or thing

No other witnesses being named or produced before me, I then, at the request of the solicitor a of the respective parties closed the depositions taken in said cause, and now return them closed under my hand and seal, on this 5th day of July in the year of Our Lord nineteen hundred and nineteen at the City of Baltimore in the State of Maryland.

Alfred J. Carr   
Examiner.

There are no Exhibits with these depositions, to wit:  
Plaintiff's          Exhibit         

Defendant's          Exhibit         

Alfred J. Carr  
Examiner.

I, ALFRED J. CARR, 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         .

Alfred J. Carr  
Examiner.