

IN THE CIRCUIT COURT OF

64 BALTIMORE CITY.

B 195
WILLIAM J. SIMMS *1924*

vs.

MARIE COMPTON SIMMS

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

B 26 740

J. Steward Davis
George W. Wears

ATTORNEYS FOR PLAINTIFF.

STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAVLE PLACE

BALTIMORE, MD.

A 21 Mar 1924

WILLIAM J. SIMMS : IN THE CIRCUIT COURT
VS. : OF
MARIE COMPTON SIMMS : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

- I. That he was married to his wife, Marie Compton Simms, on the 15th day of September, 1914 and with whom he resided until the 1st day of February, 1921 when the defendant deserted the plaintiff.
2. That though the conduct of your Orator toward the said Marie Compton Simms has always been kind, affectionate and above reproach, she has, without any just cause or reason, abandoned and deserted him and has declared her intentions to live with him 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 there are no children as issue of said marriage.
4. That your Orator has not lived or co-habited with the said defendant since said desertion.
5. That your Orator is a citizen of the State of Maryland, residing in Baltimore City for more than two years prior to the filing of this bill, but that the defendant is a non-resident of the State of Maryland and when last heard of was in New York City, New York.

TO THE END, THEREFORE:

(a) That your Orator may be divorced A Vinculo Matrimonii from the said Marie Compton Simms.

(b) That he may have such other and further relief as his case may require.

May it please your Honor to grant unto your Orator the Order of Publication directed against the said Marie Compton Simms, a non-resident of the State of Maryland, aforesaid, commanding and requiring her 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.

J. Steward Davis

George W. Evans

SOLICITORS FOR COMPLAINANT.

J. STEWARD DAVIS & GEORGE W. EVANS, SOLICITORS

215 ST. PAUL PLACE

IN THE CIRCUIT COURT OF BALTIMORE CITY.

WILLIAM J. SIMMS VS. MARIE COMPTON SIMMS

The object of this bill is to procure a divorce a Vinculo Matrimonii by the plaintiff from the defendant.

The bill recites that the parties were married on the 15th day of September 1914 and lived together until the 1st day of February, 1921 when the defendant deserted the plaintiff. That there are no children as issue of said marriage. That the defendant is a non-resident of the State of Maryland and when last heard of was in New York City, New York. That though the conduct of your Orator toward the said defendant has always been kind, affectionate and above reproach, she deserted her husband without any just cause or reason and has declared her intentions to live with him no longer; that said 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, That the plaintiff has been a citizen of the State of Maryland for more than three years prior to the filing of this bill of complaint.

It is thereupon this 21st day of *March* 1924, ordered by the Circuit Court of Baltimore City, that the plaintiff by causing a copy of this order to be published in Baltimore City, once in each of four successive weeks, before the 22nd day of *April* 1924, give notice to the absent defendant, Marie Compton Simms, of the object and substance of this bill, warning her to be and appear in this Court in person or by Solicitor on or before the 9th day of *May* 1924 to show cause, if any she may have, why a decree should not be passed as prayed.

Charles F. Steun

195
192.4

Docket No.....

Wm J Simms

vs.

Marie Cuyper Simms

Certificate of Publication

B 26740
{ 3 }

THE DAILY RECORD
Filed *29* day of *May* 192*4*

THE DAILY RECORD

APR 1 2 1924

Baltimore,....., 192.....

J. Steward Davis & George W. Evans, Sols.,
215 St. Paul Place.

IN THE CIRCUIT COURT OF BALTI-
MORE CITY—(B—195—1924)—William J.
Simms vs. Marie Compton Simms.

ORDER OF PUBLICATION.

The object of this bill is to procure a divorce a vinculo matrimonii by the plaintiff from the defendant.

The bill recites that the parties were married on the 15th day of September, 1914, and lived together until the 1st day of February, 1921, when the defendant deserted the plaintiff; that there are no children as issue of said marriage; that the defendant is a non-resident of the State of Maryland and when last heard of was in New York City, New York; that though the conduct of your orator toward the said defendant has always been kind, affectionate and above reproach, she deserted her husband without any just cause or reason and has declared her intentions to live with him no longer; that said 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; that the plaintiff has been a citizen of the State of Maryland for more than three years prior to the filing of this bill of complaint.

It is thereupon this 21st day of March, 1924, ordered by the Circuit Court of Baltimore City, that the plaintiff by causing a copy of this order to be published in Baltimore City, once in each of four successive weeks, before the 22nd day of April, 1924, give notice to the absent defendant, Marie Compton Simms, of the object and substance of this bill, warning her to be and appear in this Court in person or by solicitor on or before the 9th day of May, 1924, to show cause, if any she may have, why a decree should not be passed as prayed.

CHARLES F. STEIN.

True Copy—Test:

CHAS. R. WHITEFORD,

mh22,29ap5,12

Clerk.

We hereby certify that the annexed advertise-
ment of Order Publication Circuit Court

of Baltimore City, Case of

William J. Simms,
vs. Marie Compton Simms

was published in THE DAILY RECORD, a daily news-
paper published in the City of Baltimore, once in each of

four successive weeks before the

22nd day of April, 1924

First insertion Mar. 27th, 1924

THE DAILY RECORD

Per

Alexander Putzel

64³

Ct. Ct.

1924

Docket B 26740

Simms

vs.

Simms

Decree Pro Confesso.

B 26740

No.

(4)

Filed

20 May 1924

Wm J. Simmes.

vs.

Marie Compton Simmes

IN THE
Circuit Court

OF
BALTIMORE CITY.

March

Term, 1924

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 *four* *20th* day of *May* in the year nineteen hundred and twenty *four* 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.

Charles F. Owen

3/3/66

Doc. B $\frac{195}{1924}$

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

William J. Simms

vs.

Maria Compton Simms

No. 26740B

PLAINTIFF'S COSTS

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

DEFENDANT'S COSTS

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

Feb 5 Jan 1928

William J. Sumner

vs.

Marie Compton Sumner

In the Circuit Court
OF BALTIMORE CITY.

Secree 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
twentieth day of *May* 19*24*, met on
the *twenty-first* day of *May* in the year nineteen
hundred and *twenty-four* at my office, in the City of Baltimore, in the State
of Maryland, and assigned the *twenty-second* day of *May*
in the same year at *one-thirty* o'clock in the *after-*noon and the
office of *A. de Rusington, 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:—

B.

WILLIAM J. SIMMS

vs.

MARIE COMPTON SIMMS

Testimony taken at the office of A. de R. Sappington, Esq., 733-45 Title Building, Baltimore, Md., on Thursday, May 22nd, 1924 at 1:30 P.M.

WILLIAM J. SIMMS, the Plaintiff in this case, 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. William J. Simms, 1307 N. Carey st. Chauffeur.

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

A. I am the Plaintiff and the defendant is my wife.

BY MR. EVANS:

1 Q. When, where and by whom were you married?

A. September 15th, 1914 in Washington, D. C., by the Reverend D. D. Jarvis, a Baptist Minister. I was married by the Baptist ceremony.

2 Q. After your marriage where did you and your wife live?

A. In Washington, for a while and then we came to Baltimore over three years ago.

William J. Simms.

3 Q. Are you living together now?

A. No.

4 Q. Which left the other?

A. She left me in February, 1921.

5 Q. What was your conduct towards your wife?

A. Very good. I was kind, affectionate and true to her and provided for her.

6 Q. Did you give her any just cause or reason to desert you?

A. No.

7 Q. What was her conduct towards you?

A. Until about the time she left it was all right, but she left.

8 Q. Tell us the circumstances of her leaving?

A. She said she was going to New York on a visit, but she never came back and then my mother and I went to New York to bring her home, and she absolutely refused to come home. She had taken all her clothing when she went. She went away in February, 1921, and it was in March that I saw her in New York and she refused to come home.

9 Q. Were any children born of this marriage?

A. No.

10 Q. How long have you resided in Baltimore City, Maryland?

William J. Simms.

A. About three years.

11 Q. Is your wife a resident of the state of Maryland?

A. No.

12 Q. Where is she now?

A. The last I heard from her she was in New York. There is where she was when I last saw her and I have heard nothing since.

13 Q. Has this abandonment and desertion continued uninterruptedly for more than three years prior to the filing of the bill in this case?

A. Yes.

14 Q. In your opinion is the separation deliberate and final and beyond any hope of a reconciliation?

A. Yes.

15 Q. Since your wife left you in February, 1921, have you lived or cohabited with her?

A. No.

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.

William J. Simms.

RACHEL SIMMS, a witness of lawful age, produced on behalf of the Plaintiff, having been first duly sworn, deposeth and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name, residence and occupation?

A. Rachel Simms, 1307 N. Carey Street. Laundress.

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

A. The Plaintiff is my son and the defendant is ~~my~~ his wife. I knew her before their marriage.

BY MR. EVANS:

1 Q. Were you present at their wedding?

A. Yes. They were married in Washington, D. C. by a Baptist Minister on September 15th, 1914.

2 Q. After their marriage where did they live?

A. At First in Washington and a little over three years ago they came to Baltimore.

3 Q. Are they living together now?

A. No.

4 Q. Which left the other?

A. She left him in February, 1921.

5 Q. What were the circumstances of her leaving?

A. She said she was going to visit in New York. She didn't come back and my son and I went over there to get her and she would not come back. She did not give any reason, she simply would not come back. This was in March, 1921.

Rachel gimms.

6 Q. Is she a resident of the State of Maryland?

A. No.

7 Q. Where was she when you last heard of her?

A. She was in New York when I saw her and I have not heard from her since.

8 Q. What was your son's conduct towards his wife?

A. All right. He supported her, took care of her and provided for her.

9 Q. Did he give her any just cause or reason to desert him?

A. No.

10 Q. Were any children born of this marriage?

A. No.

11 Q. What was her conduct towards him?

A. Sometimes good and sometimes not so good, but she left him.

12 Q. Has the abandonment and desertion continued uninterruptedly for more than three years prior to the filing of the Bill in this case?

A. Yes.

13 Q. In your opinion is the separation deliberate and final and beyond any hope of a reconciliation?

A. Yes.

14 Q. Since they separated in February, 1921 have they lived

Rachel Simms.

or cohabited together?

A. No.

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.

Ms Rachel Simms

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 for safekeeping under my hand and seal, on this fourth day of January in the year of Our Lord nineteen hundred and twenty-seven 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.