

IN THE CIRCUIT COURT OF

BALTIMORE CITY

B 905
1924

WILLIAM SMALL

VS.

GEORGIA SMALL

Publication

BILL FOR DIVORCE.

Mr. Clerk:-

Please file.

Davis & Evans.

ATTORNEYS FOR PLAINTIFF

B 28114
47 (27)

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

Filed 18th December 1924

WILLIAM SMALL : IN THE CIRCUIT COURT
VS. : OF
GEORGIA SMALL : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

1. That he was married to his wife, Georgia Small on the 21st day of September, 1921 and with whom he resided until the 2nd day of November, 1921, when the defendant deserted the plaintiff.
2. That ever since said marriage, your Orator has behaved himself as a faithful, chaste and affectionate husband toward the said Georgia Small.
3. That the said Georgia Small has on divers days and times since said marriage, committed the crime of adultery with divers, lewd and abandoned men, whose names to your Orator are unknown, and said offense has not been condoned by your Orator.
4. That the said Georgia Small abandoned and deserted the plaintiff on the 2nd day of November, 1921, without any just cause or reason and said abandonment has continued for more than three years and is deliberate and final and the separation of the parties is beyond any reasonable expectation of reconciliation.
5. That there are no children as issue of said marriage.
6. That your Orator is a citizen of the State of Maryland, having resided in Baltimore City for more than three 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 Newark, New Jersey.

TO THE END, THEREFORE:

(a) That your Orator may be divorced a Vinculo Matrimonii from the said Georgia Small.

(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 Georgia Small, 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.


SOLICITORS FOR COMPLAINANT.

DAVIS & EVANS, SOLICITORS

215 ST. PAUL PLACE,

IN THE CIRCUIT COURT OF BALTIMORE CITY.

WILLIAM SMALL VS. GEORGIA SMALL

ORDER OF PUBLICATION

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

The Bill states that the parties were married on the 21st day of September, 1921 and lived together until the 2nd day of November, 1921 when the defendant deserted the plaintiff. That there are no children as issue of said marriage. That the defendant has on divers days and times committed the crime of adultery with divers, lewd and abandoned men and said offense has not been condoned by your Orator. That the defendant deserted the plaintiff without any just cause or reason and said abandonment has continued for more than three years and is deliberate and final and the separation of the parties is beyond any reasonable hope of reconciliation. That there are no children as issue of said marriage. That the plaintiff is a citizen of the State of Maryland, having resided in Baltimore City for more than three 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 Newark, New Jersey.

It is thereupon this 18th day of ~~January~~ 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 20th day of ~~January~~ 1924, give notice to the ^{Georgia Small} absent defendant 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 5th day of ~~January~~ 1925 to show cause, if any, she may have, why a decree should not be passed as ^{and} prayed.

Charles H. Stein

905

192.4

Docket No.....

Small

vs.

Small

Certificate of Publication

B 28114
(3)

THE DAILY RECORD

Filed 5 day of July 1925

THE DAILY RECORD

Davis & Evans, Solicitors,
215 St Paul Place.

IN THE CIRCUIT COURT OF BALTI-
MORE CITY — (B—905—1924) — William
Small vs Georgia Small

ORDER OF PUBLICATION

The object of this bill is to procure a
divorce a vinculo matrimonii by the plain-
tiff from the defendant

The bill states that the parties were
married on the 21st day of September,
1921, and lived together until the 2nd day
of November, 1921, when the defendant de-
serted the plaintiff That there are no
children as issue of said marriage That
the defendant has on divers days and times
committed the crime of adultery with
divers lewd and abandoned men and said
offense has not been condoned by your
orator That the defendant deserted the
plaintiff without any just cause or reason
and said abandonment has continued for
more than three years and is deliberate and
final and the separation of the parties is
beyond any reasonable hope of reconcilia-
tion That there are no children as issue
of said marriage That the plaintiff is a
citizen of the State of Maryland, having
resided in Baltimore City for more than
three 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 Newark, New Jersey

It is thereupon this 18th day of Decem-
ber 1924, ordered by the Circuit Court of
Baltimore City that the plaintiff by caus-
ing a copy of this order to be published
in Baltimore City once in each of four suc-
cessive weeks before the 20th day of Jan-
uary, 1925, give notice to the absent defend-
ant 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
5th day of February, 1925, to show cause, if
any she may have, why a decree should not
be passed as prayed

CHARLES F STEIN

CHAS R WHITEFORD

Clerk

True Copy—Test

d20,27 ja3,10

Baltimore, JAN 10 1925, 192

We hereby certify that the annexed advertise-

ment of Order *Publication* Circuit Court

of Baltimore City, Case of

William Small

vs *Georgia Small*

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

20th day of *January*, 1925

First insertion *Dec 20th*, 1924

THE DAILY RECORD

Per *A. M. Mabel*

905
1924

Ct. Ct.

Docket B64

William Small

vs.

George Small

Decree Pro Confesso.

Suff.

No.

B 28114

4

Filed

10 Feb 1925

William Small

vs.

Georgia Small

IN THE
Circuit Court
OF
BALTIMORE CITY.

January

Term, 1925

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 *10th* day of *February* in the year nineteen hundred and *twenty five* 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.

George A. Salter

STATE OF MARYLAND,
BALTIMORE CITY, SCT :

I hereby certify that on this _____ day of _____ 19____ before me, the subscriber, a Notary Public, of the State of Maryland, in and for the City aforesaid, personally appeared _____ and made oath in due form of law that her (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.

Notary Public.

3/13/2/12

Doc. B 905
1924

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

William Small

vs.

Georgia Small

No. 28114B

PLAINTIFF'S COSTS

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

DEFENDANT'S COSTS

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

fd 21 Mch 1925

William Small

vs.

Georgia Small

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 tenth day of February 1925, met on the tenth day of February in the year nineteen hundred and twenty-five at my office, in the city of Baltimore, in the State of Maryland, and assigned the eleventh day of February in the same year at four o'clock in the afternoon and the office of A. de R. Sappington, 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:—

8-4-25

WILLIAM SMALL

VS.

GEORGIA SMALL.

Testimony taken before me, A. deRussy
Sappington, on February 11, 1925, at the offices of J.
Steward Davis, 215 Saint Paul Place, Baltimore, Maryland,
at 4.00 o'clock in the afternoon.

Thereupon---

WILLIAM SMALL,

the plaintiff, of lawful age, produced on his own behalf,
having been first duly sworn according to law, was examined
and testified as follows:

1Q (By the Examiner): Please state your
name, age, residence and occupation?

A William Small, age 37, 1328 McCulloh Street,
work at H. A. Kinnamon's Drug Store, Harford Road.

2Q Do you know the parties to this suit or
either of them?

A Yes.

3Q When were you married?

A September 21, 1921.

4Q And you were married where?

A In Baltimore City, Maryland.

5Q By a Minister of the Gospel?

A Yes.

6Q You lived with your wife until when?

A November 2nd, 1921.

7Q There was a separation. Which one left the other, did you leave her or did she leave you?

A She left me.

8Q Why did she leave you?

A Well, for no cause that I know of at all.

9Q You mean you went to work, and when you came back---

A I went to work and when I come back---she had said before, I am going away, there is someone else I want, and I thought she was only joking when she spoke those words, and so sure enough she said it again, another night I come home she said there was another man she wanted, and I went to work like I always had been doing, and I had planned, I said, I guess I will go home and get my supper and take the madam out for a little walk some place, and

Lord knows when I come home she had done packed up her things and gone and taken all her clothes and all her bed covers, without any account of me, and gone, and I haven't laid eyes on her since.

10Q This happened on the 2nd of November, 1921?

A Yes.

11Q Where did she say this somebody else that she wanted lived?

A In New Jersey.

12Q Did you give your wife any cause to leave you?

A Not a bit in this world. I really was a good man to her and tried to treat her as a man.

13Q Do you mean you supported her?

A Yes, sir. She didn't have anything to do but just eat, sleep and go where she wanted to go while she was with me.

14Q How did you behave your self towards your wife, were you faithful to her, affectionate and chaste?

A Yes, sir, went to work every day and come

home and stayed right home with her at nights. I couldn't do any more than that.

15Q Were there any children born as a result of this marriage?

A No, sir.

16Q Have you ever cohabited with her since the desertion?

A No, sir.

17Q Is there any hope or expectation of a reconciliation, any chance of your making up?

A No, sir, not no more, not for me.

18Q Has the abandonment by your wife continued uninterrupted since the 2nd of November, 1921?

A Yes, sir, I have never seen her since she left. She has been away from me all this time.

19Q You are a resident of the State of Maryland and have been so for how long?

A Been in the State of Maryland all my life.

20Q You have been a resident of the State of Maryland for more than two years prior to the filing of this bill?

A Yes, sir.

21Q Is your wife now a resident of the State
of Maryland?

A She is in New Jersey.

22Q She is not a resident of the State of
Maryland?

A No, sir.

23Q Where is the last place you heard anything
of her?

A Newark, New Jersey.

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.--- *Ms. William Small*

Thereupon---

ELLIS SMALL,

a witness of lawful age, produced on behalf of the plaintiff, having been first duly sworn according to law, was examined and testified as follows:

1Q (By the Examiner): Please state your name, residence and occupation?

A Ellis Small, 22, Danatel Brothers, 1328 McCulloh Street.

2Q Do you know the parties to this suit or either of them?

A Yes.

3Q (By Mr. Davis): The plaintiff, William Small, is your father, isn't he?

A Yes, sir.

4Q And the defendant, Georgia Small is your stepmother?

A Yes.

5Q Were you present at the wedding when they were married?

A No, sir.

6Q But you know that they were married?

A Yes, sir.

7Q Do you know that they lived together as man and wife?

A Yes, sir.

8Q And their reputation in the community was that of man and wife?

A Yes, sir.

9Q Do you know the date of the marriage?

A 21st of September, 1921.

10Q Did you live with your father at the time he was married to Georgia Small?

A Yes, sir.

11Q He states the date of separation was November 2nd, 1921, is that correct?

A Yes, sir.

12Q Do you remember what happened on the day of the separation?

A I know he went to work as usual.

13Q Did you go to work also?

A No, I was hurt at the time.

14Q You mean you were home?

A Yes.

15Q You were there when she left?

A Yes, she taken the bed clothes and everything, stripped the beds and everything.

16Q You mean you saw her doing that?

A Yes, saw her with my own eyes.

17Q Where were you?

A In the room, the bedroom.

18Q Did she say anything to you?

A Never said nothing to me. She got some man, I don't know who he was, with a horse and wagon, and moved her trunks away. I haven't seen her since.

19Q What was your father's conduct towards Georgia Small, your stepmother?

A As far as I know it was perfectly all right.

20Q Did he support her?

A Yes.

21Q Was he kind, affectionate and faithful to her?

A Yes.

22Q Did he give her any cause or reason to leave him?

A Not as I know of.

23Q Were there any children born as a result of this marriage?

A No, sir.

24Q Has he ever condoned the offense, or have they lived together since the separation?

A No.

25Q Has her abandonment or not continued uninterruptedly for three years since the 2nd of November, 1921?

A Yes.

26Q Was her abandonment deliberate and final?

A Yes.

27Q Do you think there is any expectation or hope of a reconciliation, any chance of making up?

A No.

28Q Is your father a resident of the State of Maryland, and has he been for more than two years prior to the filing of this bill?

A Yes.

29Q Is Georgia Small a resident of the State
of Maryland or not?

A No, Sir.

30Q Of what State is she a resident?

A New Jersey.

31Q Where was she last heard of in New Jersey?

A Newark.

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.---

W. Ellis C. Small.

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.....*24th*.....day of *March*.....in the year of Our Lord nineteen hundred and.....*Twenty-five*.....at the City of Baltimore, in the State of Maryland.

A. de Russey Sappington (SEAL).
Examiner.

There are *two*.....Exhibits with these depositions, to wit:
Plaintiff's..... Exhibit.....*1*.....

Defendant's..... Exhibit.....*1*.....

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.....*Wed*.....of which I was employed by the Plaintiff....., and on.....*none*.....by the Defendant.....

A. de Russey Sappington
Examiner.

Circuit Court

905
1924

Docket No. B28114

W^m Small

vs.

Georgia Small

Order of Reference
and Report

<6>

No. B28114

Byans 6

Order Filed 30th day of March 1925

Report Filed 4th day of April 1925

W^m Small

vs.

Georgia Small

IN THE
Circuit Court

OF
BALTIMORE CITY

Mar Term, 1925

This case being submitted, without argument, it is ordered by the Court, this 30 day of April, 1925, that the same be and it is hereby referred to W^m P Syous, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

George A. Salter

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the husband against his wife on the ground of abandonment. Article 16, Sections 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 prior to the filing of the bill proven.

The marriage proven. Abandonment uninterruptedly for three years, its finality and the irreconcilability of the parties proven. Decree pro confesso was passed against the defendant and more than thirty days have since elapsed. Case ready for decree.

William P. Syous

April 4, 1925 Auditor and Master

Pd.

CIRCUIT COURT

B 905
1924 No. Docket

WILLIAM SMALL

VS.

GEORGIA SMALL

Recorded

Folio 226 1925

Decree of Divorce

B No. 28114

Filed 6" April 1925.

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

William P. Lyons
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

..... WILLIAM SMALL

VS.

..... GEORGIA SMALL

..... January Term, 1925.....

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

It is thereupon, this *Sixth* day of *April*, A. D. 1925, by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

..... WILLIAM SMALL
the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, *GEORGIA SMALL*.

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

George A. Salters