

In The Circuit  
Court of  
Baltimore City

James Thopp 1919  
vs

Viola Thomas

Bill for Divorce & Alimony

Mr Clerk please file

(P. Stewart Davis)

B19 759  
(1) (2)

J. STEWARD DAVIS

ATTORNEY AT LAW

118 E. LEXINGTON STREET

BALTIMORE, MD.

Pl 8 August 1919

James Thomas

Vs.

Viola Thomas

In The Circuit Court

of

Baltimore City.

-----

To The Honorable, The Judge of Said Court:

Your Orator, complaining, respectfully says:

FIRST, That the parties hereto were married on or about the 20th. day of October, 1916 and lived together as man and wife until on or about the 3rd. day of February, 1917. Said marriage occurred in Baltimore City, state of Maryland.

SECOND, That Your Orator is a resident of the city of Baltimore, state of Maryland, and has been for more than two years prior to the filing of this bill of complaint. That the respondent is a non-resident of the city and state and when last heard of was in Atlantic City, N.J.

THIRD, That though the conduct of Your Orator towards his wife has always been kind, affectionate, and above reproach, she without any just cause or reason, abandoned Your Orator to live in adultery with a said Guy Johnson. That the said Viola Thomas has on divers days and times committed the crime of adultery with the aforementioned "Guy Johnson" and with divers other men whose names are unknown to Your Orator.

FOURTH, That Your Orator has not lived with the said Viola Thomas, since he discovered the said adultery, nor has he condoned the said adultery.

That there are no children born as a result of said marriage.  
~~WHEREFORE~~ YOUR ORATOR PRAYS:

-a- A divorce a vinculo matrimonii from the respondent.

-b- Such other and further relief as the case may require.

May it please Your Honor to grant unto Your Orator, an order of publication, setting forth the nature and substance of

this bill and warning the said respondent to be in this Court in person or appear by solicitor on or before a certain day, to be therein named and show cause, if any she may have, why a decree should not be passed as prayed.

As in duty bound etc.

*James Thomas*  
-----  
Complainant.

*(Frank) Davis*  
-----  
Solicitor for Complainant.

State of Maryland     )  
                          ) To Wit  
Baltimore City        )

I hereby certify that on this 8<sup>th</sup> day *Aug.* 1919, before me the subscriber, a Notary Public in and for the <sup>County</sup> ~~city~~ of Baltimore, state of Maryland, personally appeared James Thomas, the complainant in the foregoing bill and made oath in due form of law that the matter contained therein was true to the best of his knowledge and belief.

*Arthur H. Rogers*  
-----  
Notary Public.

J. Steward Davis, Solicitor,

118 E. Lexington St.

In ~~The~~ Circuit Court of Baltimore City.

James Thomas Vs. Viola Thomas.

ORDER OF PUBLICATION.

The object of this suit is to procure a decree for a divorce, a vinculo matrimonii, by the complainant from the respondent.

The bill states that the parties thereto were married in Baltimore City, state of Maryland on or about the 20th/day of October, 1916 and lived together as man and wife until on or about the 3rd. day of February, 1917. That the complainant is a resident of Baltimore city and has been for more than two years prior to the filing of this bill. That the respondent is a non-resident of this city and state, and when last heard of, was in Atlantic city, N. J. That though the conduct of the complainant towards his wife was always kind, affectionate, and above reproach, she at divers times committed the crime of adultery with one "Guy Johnson" and divers other men whose names are unknown to the complainant. That the complainant has never condoned the said adultery. That there are no children as a result of said marriage.

It is thereupon by the Circuit Court of Baltimore city, ordered this 8 day of Aug 1919, that the complainant, by causing a copy of this order to be inserted in some daily newspaper, published in the city of Baltimore, once a week for four successive weeks, before the 8 day of September 1919, and give notice to the said defendant, Viola Thomas (now absent) of the object and substance of this bill and warning her to be and appear in this Court in person or by Solicitor, on or before the 21 day of September 1919, to show cause, if any she has why a decree should not be passed as prayed

Carroll J. Bond

508 B62 Ct. Ct.

1921 Docket

Thomas

vs.

Thomas

**Decree Pro Confesso.**

819759

No.

3

Filed 2 Oct 1922

James Thomas  
vs.  
Viola Thomas

IN THE  
**Circuit Court**  
OF  
BALTIMORE CITY.

Sept Term, 1922

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 3 day of October in the year nineteen hundred and Twenty two 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.

Carroll J. Bond

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.



IN THE CIRCUIT COURT

OF *B 508*  
BALTIMORE CITY.

*1919*  
JAMES THOMAS

VS.

VIOLA THOMAS

ORDER OF PUBLICATION

*B 19759*

*B. 19759 #*

*not clear please file*

*[Signature]*

DAVIS & BISHOP

ATTORNEYS AT LAW

BANNER BUILDING

24 E. PENNSYLVANIA STREET  
BALTIMORE, MD.

*[Signature]* *1922*

J. STEWARD DAVIS, SOLICITOR, 215 ST. PAUL PLACE

IN THE CIRCUIT COURT OF BALTIMORE CITY

JAMES THOMAS VS. VIOLA THOMAS

ORDER OF PUBLICATION

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

The Bill recites that the parties were married on or about the 20th day of October, 1916, in Baltimore City, State of Maryland, and that they lived together until on or about the 3rd day of February, 1917, when the defendant deserted the plaintiff. That there are no children as result of said marriage. That the defendant is a non-resident of the State of Maryland and has deserted her husband without any just cause or reason and has on divers days and times committed the crime of adultery; that the 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            day of            1922, ordered by the Circuit Court of Baltimore City, that the plaintiff by causing a copy of this order to be inserted in some daily newspaper published in Baltimore City, once in each of four successive weeks, before the            day of 1922, giving notice to the absent defendant, Viola Thomas, 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            day of            1922 to show cause, if any she may have, why a decree should not be passed as prayed.



I, W.T. Andrews, of the City of Baltimore, State of Maryland, hereby certify that on the ~~10th~~ <sup>8th</sup> day of ~~June~~ <sup>August</sup>, 1919, the attached order of publication was published in the Daily Herald, a newspaper published daily in the City of Baltimore and that the publication of the said attached order was continued once a week for four successive weeks in the aforementioned newspaper of which I was Editor.

W. T. Andrews  
Editor The Herald.

STATE OF MARYLAND, BALTIMORE CITY, to wit:-

I HEREBY CERTIFY, that on this ~~1st~~ <sup>1st</sup> day of ~~October~~ <sup>November</sup>, in the year one thousand nine hundred and twenty two, before me, the subscriber, a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid, personally appeared W.T. Andrews and made oath in due form of law that the matters and facts in the foregoing statement are true to the best of his knowledge and belief.

WITNESS my hand and Notarial Seal.

Francis Henry  
NOTARY PUBLIC

578 Circuit Court  
B59  
19 19 Docket No. ....

Thomas

vs.  
Thomas

Order of Reference  
and Report

Robatson  
B 19459

No. 6 ✓

Order Filed 13 day of Nov 19 22  
Report Filed 17 day of Nov 19 22

James Thomas

vs.  
Viola Thomas

IN THE  
Circuit Court

OF  
BALTIMORE CITY

Sept Term, 1922

This case being submitted, without argument, it is ordered by the Court, this 13 day of November, 1922, that the same be and it is hereby referred to Alex H. Robertson, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Carroll J. Bond

Report of Auditor and Master

Bill filed by husband against wife for divorce a vinculo matrimonii on ground of adultery, Code Art. 16, Sect. 36. Order of publication against defendant as non-resident, no answer, decree pro confesso, thirty days elapsed. Proof shows marriage, residence of plaintiff, non-residence of defendant and adultery of defendant. Case ready for decree.

Alex H. Robertson  
Auditor & Master.

CIRCUIT COURT

B 508  
1919 B No. 59 Docket

James Thomas

vs.

Viola Thomas

**Decree of Divorce**

B No. 19759

fd. 17<sup>th</sup> November 1922

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

*Alex. W. Johnston*  
Auditor and Master.



Decree of Divorce

IN THE

**Circuit Court**

OF

BALTIMORE CITY

James Thomas

VS.

Viola Thomas

November Term, 1922

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

It is thereupon, this 17 day of November, A. D. 1922, by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said James Thomas

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, Viola Thomas

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

*Carroll J. Bond*

Doc. B 508  
1919

3/2/12/59

**In the Circuit Court,**  
**OF BALTIMORE CITY**

**DEPOSITIONS**

*James Alexander Thomas*

vs.

*Viola Thomas*

No. 19759B

**PLAINTIFF'S COSTS**

Examiners.....\$.....

Copies.....

Sheriff.....

Stenographer.....

\$.....

**DEFENDANT'S COSTS**

Examiners.....\$.....

Copies.....

Sheriff.....

Stenographer.....

\$.....

*J. J. Johnson* 1922

James Alexander Thomas

vs.

Viola Thomas

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

3<sup>rd</sup> day of October 1922, met on the 3<sup>rd</sup> day of October in the year nineteen

hundred and twenty-two at my office, in the City of Baltimore, in the State of Maryland, and assigned the third day of October

in the same year at three o'clock in the afternoon and the office of J. L. Davis, 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:—

8-20

Thomas,

v.

Thomas.

Testimony taken at the office of Mr. Davis,  
Courtland Street, Baltimore, Maryland, October  
3rd., 1922, at 1 O'clock P. M.

JAMES ALEXANDER THOMAS, the Plaintiff in this case,  
produced on his own behalf, having been first duly  
sworn, deposed and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. James Alexander Thomas, 1126 Argyle Avenue; musician.

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. October 20th., 1916.

2 Q. Were you married by a Minister of the Gospel?

A. Yes.

3 Q. In Baltimore City.

A. Yes.

3 Q. By a Religious Ceremony?

A. Yes.

5 Q. Have you been a resident of Baltimore City,  
State of Maryland, for at least two years prior to the



James Alexander Thomas.

filing of this suit?

A. Yes.

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

A. No.

78Q. What was your conduct towards your wife while living together?

A. I tried to treat her as nice as I could,- as a husband should treat a wife.

8 Q. Good to her?

A. Yes.

9 Q. And kind to her?

A. Yes.

10 Q. And you supported her?

A. Yes.

11 Q. And faithful?

A. Yes.

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

A. No sir.

12 Q. Which left the other; did she leave you or did you leave her?

A. I left her.

13 Q. When?

A. 3rd., February 1917.

James Alexander Thomas.

14 Q. Why did you leave her,

A. Well, she was a woman that drank and I caught her in a predicament that a woman should not be in; I saw her going in the bed house with another man.

15 Q. With whom did you see her go in with?

A. Guy Johnson .

16 Q. You charge your wife with adultery with this man; how do you know that?

A. Because I saw her go into this bed house.

17 Q. Where is that house.

A. Corner of Paca and New Streets.

18 Q. What is the reputation of this house?

A. It is known as a bed house.

19 Q. A house where you can rent a room and go to bed with a woman?

A. Yes.

20 Q. You saw him go in there with this Guy Johnson.

A. Yes.

21 Q. The night before the separation?

A. Yes.

21 Q. What time of the night?

A. It was a little after I got through playing, - near one o'clock.

23 Q. In the morning?

A. Yes.

James Alexander Thomas.

24 Q. You watched a while, did you not,

A. Yes .

25 Q. How long did you watch?

A. About twenty minutes.

26 Q. Was there any one with you?

A. My friend was with me,- this man here (indicating).

27 Q. Had you ever seen her with Guy Johnson before?

A. Yes.

28 Q. Where?

A. She was working at the Emerson at the time, and she had stayed out a couple of nights---

COUNSEL INTERRUPTING: Stayed out all night.

WITNESS: Yes, and that was Sunday, and this was Wednesday; I went at six o'clock to see if I could see her at Baltimore and Calvert Street, and I saw her from a distance, and she was under the influence of liquor; I was over by the News Building, and she was with a man, but I could not recognize the man.

29 Q. Did you have a quarrel with her about Guy Johnson?

A. Yes.

30 Q. Where?

A. At home.

James Alexander.

31 Q. Did she defend him or what was it that she said.

A. This was at the time at Fishman's Hall. He came in, and before I could get anything to say about it he said "Dont you do anything to her", and he wanted to put up a fight; this man was in the hall at the time; he did not know what I was going to say to her.

32 Q. She was last heard of where?

A. Atlantic City.

33 Q. Has she been back here on short trips.

A. Yes.

34 Q. How long ago?

A. From what I understand, it was about a year ago.

35 Q. Did she come back with any one.

A. Yes; she was with a man; I can not recognize who it was; he was an out of town man.

36 Q. How long did she stay here with him?

A. Two or three days; may be a week or so.

37 Q. Did he go away with her?

A. Yes; I expect that he went away with her.

38 Q. Have you lived or cohabited with your wife since you discovered her adulteries?

A. No.



James Alexander.

39 Q. Have you had sexual intercourse 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.

Answer

No  
James A Thomas

MULFORD J. MATTHEWS, 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. Mulford J. Matthews, 1629 Druid Hill Avenue;  
bell boy.

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

A. Yes.

By Mr. Davis:

1 Q. You were present at the marriage?

A. No.

2 Q. Do you know whether or not they lived together as husband and wife?

A. Yes; they lived together as husband and wife.

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

A. Yes.

3 Q. He held her out as his wife?

A. Yes.

5 Q. What sort of a husband was Thomas to his wife?

A. Well, as far as I always saw, he seemed to treat her all right, as far as I know. He was good and faithful; he did not seem to me to do anything that he should not do.

Mulford J. Matthews.

6 Q. Thomas said that in February 1917 at about one O'clock in the morning you and he were coming up the street, and you saw his wife; do you know his wife?

A. Yes. I did not know her personally to talk to.

7 Q. But when you saw her, you knew that it was Mrs. Thomas?

A. Yes.

8 Q. Where was this house.

A. This house that he and I saw her go into was at the corner of New and Paca Street.

9 Q. What is the reputation of the house.

A. What I hear is, that it is a bed house, where a man can take a woman that are not married.

10 Q. For immoral purposes.

A. Yes.

11 Q. Do you know Guy Johnson.

A. Yes.

12 Q. Was Guy Johnson the man with her?

A. Yes; from the way it looked to me it was the same man.

13 Q. They went into this house together.

A. Yes.

M.J. Mathews.

14 Q. Did you and Mr. Matthews watch.

A. Yes.

15 Q. Together.

A. Yes; between twenty and thirty minutes.

16 Q. And they did not come out?

A. No.

17 Q. Were you at this dance at Fishman's Hall?

A. Yes.

18 Q. When he and Johnson had an argument.

A. I was not there when the fight began, but I was there shortly after it happened, and before it was over.

19 Q. Is she now a resident of the State of Maryland.

A. No, not a resident of the State of Maryland.

20 Q. Non-resident?

A. Yes.

21 Q. When last heard of she was in Atlantic City.

A. Yes.

21 Q. Has Mr. Thomas lived with his wife since he discovered her adulteries, which you and he saw on the 2nd., February 1917?

A. Not to my knowledge.

M.J. Mathws.

22 Q. Has he been a resident of Baltimore City, State of Maryland, for at least two years prior to the filing of this suit?

A. Yes.

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

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.  
Muelpos J. Mattina

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 November in the year of Our Lord nineteen hundred and twenty-two 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.