

IN THE CIRCUIT COURT

*CP B 137*  
OF  
BALTIMORE CITY

JAMES WARE *1924*

VS.

HENRIETTA WARE  
*810 W. Saratoga St.*

BILL FOR DIVORCE.

Mr. Clerk:-

Please file.

*Steward Davis*  
*George Evans*

SOLICITOR FOR COMPLAINANT

*326624*

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT LUL PLACE

BALTIMORE, MD.

*123 5/24/1924*

JAMES WARE : IN THE CIRCUIT COURT  
VS. : OF  
HENRIETTA WARE : BALTIMORE CITY.

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TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

- (1) That he was married to his wife, Henrietta Ware, sometimes known as Henrietta Hall, on or about the 15th day of May, 1901 and lived together as man and wife until about the 29th day of March, 1904, when the defendant committed the crime of adultery with divers, lewd and abandoned men in Baltimore City, and deserted your plaintiff.
2. That your Orator has not condoned the offense, neither has he lived or co-habited with the said defendant since the discovery of her indiscreet actions.
3. That there are no children as issue of said marriage.
4. That both your Orator and the defendant are residents of Baltimore City, State of Maryland and have been for more than three years prior to the filing of this bill of complaint.
5. That the conduct of your Orator toward the said defendant has been kind, affectionate and above reproach, and she has, without any just cause or reason abandoned and deserted him and committed the crime of adultery and has declared her intentions to live with him no longer and, 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.

WHEREFORE YOUR ORATOR PRAYS:

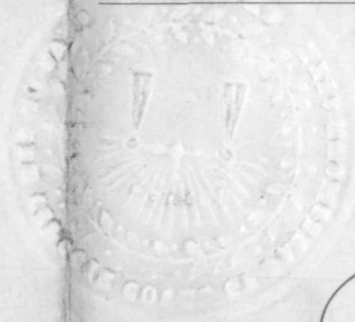
- (a) A divorce a Vinculo Matrimonii from the defendant and such other and further relief as his case may require.
- (b) May it please your Honor to grant unto your Orator the Writ of Subpoena directed against the said Henrietta Ware, sometimes known as Henrietta Hall, commanding and requiring her to 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.

*Steward Davis*  
*George Evans*  
\_\_\_\_\_  
SOLICITOR FOR COMPLAINANT.

P. 94

137 264 Ct. Ct.  
192 4 264 Docket No.



Ware

"

Ware

SUBPOENA TO ANSWER BILL OF COMPLAINT

No. 13 Pro. 26624

Filed 1<sup>st</sup> March 1924

J. S. Davis SOLICITOR  
G. H. Davis  
13

Summed and a copy of the process left with the defendant.

(Reene 2-26-24)

Fees - 0.80 John E. Pote Sheriff.

EQUITY SUBPOENA

The State of Maryland

On

*Henrietta Ware*

*810 N. Annapolis*

of Baltimore City, Greeting:

WE COMMAND AND ENJOIN YOU, That all excuses set aside, you do within the time limited by law beginning on the second Monday of **March** next cause an appearance to be entered for you and your answer to be filed to the complaint of

*James Ware*

against you exhibited in the Circuit Court of Baltimore City, HEREOF fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore City, the **14<sup>th</sup>** day of **January** 192 **4**,  
Issued the **23** day of **February**, in the year 192 **4**,

Chas R. Whiteford, Clerk

MEMORANDUM: You are required to file your answer or other defense in the Clerk's Office, room 206, in the Court House, Baltimore City, within fifteen days after return day.

(General Equity Rules 11.)

B 137  
1924

Ct. Ct.

Docket

Ware  
vs.

Ware

Decree Pro Confesso.

Sapp.

No.

B 26624  
L37

Filed 2<sup>nd</sup> April 1924

*James Ware*  
vs.

*Henrietta Ware*

IN THE  
**Circuit Court**

OF  
BALTIMORE CITY.

*June* 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 *2<sup>nd</sup>* day of *April* 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.

*W. Charles F. Steen*

7/2/152

Doc. B  $\frac{137}{1924}$

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

**DEPOSITIONS**

*James A. Kare*

vs.

*Henrietta Kare*

No. 26624B  
47

**PLAINTIFF'S COSTS**

Examiners.....	\$ <u>8<sup>00</sup></u>
Copies .....	.....
Sheriff.....	.....
Stenographer .....	<u>3-00</u>
	\$ <u><u>11-00</u></u>

**DEFENDANT'S COSTS**

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

*Ad 3 Jan 1928*



James Akare

vs.

Henrietta Akare

In the Circuit Court

OF BALTIMORE CITY.

Subscribed and sworn to before me, the undersigned, a Justice of the Peace for the County of Baltimore, Maryland, on the second day of April, 1924, at my office, in the City of Baltimore, in the State of Maryland, and assigned the twenty-first day of April, 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 April, in the same year at three o'clock in the after-noon 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

Ware,

v.

Ware.

Testimony taken at the office of A. deR. Sappington, Esq., Baltimore, Maryland, ~~May~~ *April 12<sup>nd</sup>*, 1924, at three O'clock P. M.

James Ware, the Plaintiff in this case, produced on his own behalf, 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. James Ware, 741 Mulberry Street; driver.

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. 1901.

2 Q. What month?

A. In May.

3 Q. May 15th., 1901.

A. Yes; about that time.

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

A. Yes.

5 Q. In Baltimore City,

AA Yes.

James Ware.

6 Q. By a Religious Ceremony?

A. Yes.

7 Q. Have you been a resident of Baltimore City, State of Maryland, for at least two years prior to the filing of this suit?

A. Yes.

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

A. No.

9 Q. What was your conduct towards your wife while living together; how did you treat her.

A. We got along all right until she started running around.

10 Q. State whether or not you were always a kind, affectionate and faithful husband?

A. Yes.

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

A. No sir.

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

A. Well, she told me to get out, and there wasn't anything else for me to do.

13 Q. State what she said and what she did on that occasion?

James Ware.

A. Well, she goes out and she stays all night, and when she came back I said "Where have you been", and she said "I went out and I stayed all night from you for you to go, so that I could get rid of you".

14 Q. And you say that she ordered you out?

A. Yes.

15 Q. Now, that was when?

A. March 1904.

16 Q. You charge your wife with adultery; do you know anything personally about that?

A. Yes.

17 Q. Tell us what you know of your own personal knowledge of her adulteries?

A. Well, I know that she had two children by this man that she is living with now.

18 Q. What is this man's name?

A. Hem Hall.

19 Q. How old are these children?

A. Well, one of them - boys - the first child is dead, but she has one living now between thirteen and fourteen years of age.

20 Q. You say that you have not lived or co-habited with her since March 1904?

A. I have been away from her for twenty years.

James Ware.

21 Q. Now, how do you know that this boy who is about thirteen or fourteen years of age is her boy?

A. Well, because he goes by his mother's name, and I know when she was carrying him in a delicate state.

22 Q. Did you have any conversation with her with regard to this boy?

A. Yes.

23 Q. What did she say with reference to this boy; whose boy did she say it was.

A. She did not say who the father of the child was, but she said that it was her child, but I knew who the man was, because he and her were going together, and the man is Clarence Hall, so it must have been his'n".

24 Q. Tell what you said to her, and what she said to you at the time you had this conversation with her about this child?

A. She said to me "How about going together again", and I said "I would not go back with you; you have another child by another man", and she said "Anybody is liable to have a downfall", and I said "This downfall, I did not have anything to do with".

25 Q. And it was then that she told you that it was her child?

A. Yes.

J. W.

26 Q. Has her abandonment and desertion of you continued uninterruptedly since March 1904?

A. Yes.

27 Q. That is, have you lived or cohabited with her since that time?

A. No sir.

28 Q. State whether or not her abandonment and desertion of you was deliberate and final; did she deliberately and finally abandon and desert you?

A. Yes.

29 Q. State whether or not there is any reasonable expectation of a reconciliation; do you ever expect them to make -- Do you ever expect to make up and live together again?

A. No sir./

30 Q. Have you lived or cohabited with her since you discovered her adulteries?

A. No.

31 Q. Have you forgiven or condoned her offense in any way?

A. No sir.

32 Q. Have you lived or cohabited with her or forgiven or condoned her offense since she told you that she was the mother of this child?

A. No sir.

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

George W Evans

James <sup>his</sup> Ware  
mark

J. W.

38 Q. Clarence Covington, 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. Clarence Covington, 741 Mulberry Street; laboring work.

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

A. Yes.

By Mr. Davis:

1 Q. Are they husband and wife?

A. Yes.

2 Q. Did they live together as husband and wife and were they always known and recognized in the community in which they lived as husband and wife?

A. Yes.

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

A. Yes.

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

A. No.

6 Q. What was his conduct towards his wife while living together; how did he treat her?



J. W.

A. He treat d her the way that a man should treat his wife.

7 Q. State whether or not he was always a kind, affectionate and faithful husband?

A. Yes.

8 Q. Are the parties to this suit living together now?

A. No sir.

9 Q. Which left the other; did he leave her or did she leave him?

A. She told him to get out, and he got out.

10 Q. Did you hear her say that?

A. No sir.

11 Q. How do you know that she said that?

A. Because he told me that she told him to get out.

12 Q. And did you have any conversation with her after that time?

aA. Yes.

13 Q. What did she say with reference to the child-- Or first, what did she say in reference to her telling or not telling her husband to get out.

A. She told me that she had told him to get out.

14 Q. Now, when was this?

A. March; that was about 1904.

J. W.

15 Q. He has testified that it was about March 1904; is that about the time?

A. Yes.

16 Q. Now, he has charged his wife with adultery; do you know anything personally about that?

A. Well, I know that she was living with this man.

17 Q. How do you know that she is living with this man.

A. Well, I used to visit the house.

18 Q. And when you say "living with her", in what manner did this man live with her?

A. As husband and wife.

19 Q. Now, when did you visit the house and see them living together a husband and wife?

A. Well, the last time that I was there,- it has been about three months ago.

20 Q. Well, take an occasion prior to that time; when did you visit them; what time prior to that time did you visit them.

A. About a year or two ago.

21 Q. And when you visited that house, what did you find?

A. Well, I used to often see them there, and she used to go under his name as Hall.

J. W.

22 Q. Did you see the man.

A. Yes.

23 Q. In her presence?

A. Yes.

24 Q. What did they say in each others presence with referance to living together.

A. She made me acquainted with him and said Mr. Covington meet Mr. Hall.

25 Q. You say that they lived there as husband and wife; did they occupy the whole house?

A. Yes; she rented the house, but she rented out rooms and like of that.

27 Q. Did you ever have any conversation with her about this man.

A. I never asked her anything concerning him whatever about them living together, but she introduced him to me; she introduced the man to me as Mr. Hall.

28 Q. And what name does she live under?

A. She lives there under the name of Hall.

29 Q. How are they known in the neighborhood.

A. They are known as Mr. and Mrs. Hall, husband and wife.

29 Q. Have you had -- You have heard the Plaintiff testify that his wife is the mother of a child of which he is not the father; is that true?

A. Yes.

J. W.

30 Q. Now, tell the Court how you know that it is true?

A. Well, I know that she was living with this man, and she told me that she was the mother of the child, but she did not tell me that he was the father.

31 Q. What is the name of the child?

A. Clarence Hall.

32 Q. Did she tell you that?

A. Yes.

33 Q. How old is this child?

A. This child is between thirteen and fourteen years old.

34 Q. Has the Plaintiff lived or cohabited with his wife since March 1904?

A. No sir.

35 Q. Is her--~~m~~Has her abandonment of her husband continued uninterruptedly since March 1904?

A. Yes.

36 Q. That is, have they lived or cohabited together since that time?

A. No sir.

37 Q. State whether or not her abandonment and desertion of her husband was deliberate and final; did she deliberately and finally abandon and desert her husband?

A. Yes.

J. W.

38 Q. State whether or not there is any reasonable expectation of a reconciliation; do you ever expect them to make up and live together again?

A. No sir.

39 Q. Has Ware lived or cohabited with his wife since he discovered her adulteries?

A. No sir.

40 Q. Has he forgiven or condoned her adulteries in any way?

A. No sir.

**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. ---

*Blanche Covington*

No other witnesses being named or produced before me, I then, ~~at the request of the Solicitor~~ of the ~~plaintiff~~ *for safe keeping* closed the depositions taken in said cause and now return them closed under my hand and seal, on this *fourth* day of *January* in the year of Our Lord nineteen hundred and ~~twentieth~~ *eight* at the City of Baltimore, in the State of Maryland.

*A. de Russey Sappington* (SEAL).  
Examiner.

There are *one* 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 *both* of which I was employed by the Plaintiff, and on *none* by the Defendant.

*A. de Russey Sappington*  
Examiner.