

13 308/1923

IN THE CIRCUIT COURT NO. 2
OF
BALTIMORE CITY

HELEN B. WHITE

VS.

HOWARD B. WHITE

BILL FOR DIVORCE

Mr. Clerk:

Please file.

E. Jackson
ATTORNEY FOR COMPLAINANT

*1030 N. Easton St.
No 22953 B*

FILED *29 June 1923*

The Daily Record Print, Baltimore, Md.

HELEN B. WHITE : IN THE CIRCUIT COURT NO. 2
VS : OF
HOWARD B. WHITE : BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:-

(1) That she was married to her husband, Howard B. White on or about the 7th day of January, 1918 and lived together as man and wife until on or about the 10th day of April, 1923 when the defendant committed the crime of adultery with one Rhetta Pearce and divers other lewed women in Baltimore City, State of Maryland.

(2) That your Oratrix has not condoned the offense, neither has she lived or co-habited with the said defendant since the discovery of his indiscreet actions.

(3) That there are no children born as result of said marriage.

(4) That both parties are residents of Baltimore City, State of Maryland and have been for more than two years prior to the filing of this bill of complaint.

(5) That the conduct of your Oratrix has been above reproach in all respects-having been a true and devoted wife to the said defendant, her husband.

WHEREFORE YOUR ORATRIX PRAYS;

(a) A divorce a Vinculo Matrimonii from the defendant and such other and further relief as her case may require.

(b) May it please your Honor to grant unto your Oratrix the Writ of Subpoena directed against the said Howard B. White, commanding and requiring him 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.

E. Jackson

SOLICITOR FOR COMPLAINANT.

35

Ct. Ct. No. 2

308
1923

B Docket No. 32

White

vs.

White

Subpoena to Answer Bill of Complaint

Pm

No. 22953 B

Copy - copied

Filed 9 July 1923

E. Jackson

Solicitor.

10

Summoned and a copy of the process left
with the defendant Thomas J. McNulty
(Rully) 6/30/23 Sheriff

Fees \$ 0.80

EQUITY SUBPOENA
The State of Maryland

To

Howard B. White

1030 N. E. Tow Dr

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 *July*, next, cause an appearance to be entered for you, and your Answer to be filed to the Complaint of

Howard B. White

against you exhibited in the CIRCUIT COURT No. 2 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* day of *May*, 192 *3*

Issued the *29* day of *June* in the year 192 *3*

John Keasants

Clerk.

MEMORANDUM:

You are required to file your Answer or other defence in the Clerk's Office, Room No. 235, in the Court House, Baltimore City, within fifteen days after the return day. (General Equity Rule 11.)

13 208/1923

IN THE CIRCUIT COURT NO. 22

OF

BALTIMORE CITY

HELEN B. WHITE

VS.

HOWARD B. WHITE

RESPONDENT'S ANSWER

Mr. Clerk:-

Please file.

J. Steward Davis
ATTORNEY FOR RESPONDENT

215 St. Paul Place.

No 22953 B

DAVIS & BISHOP
ATTORNEYS AT LAW
BANNEKER BUILDING
14 E. PLEASANT STREET
BALTIMORE, MD.

Filed 30 June 1923

HELEN B. WHITE : IN THE CIRCUIT COURT NO. 2
VS. : OF
HOWARD B. WHITE : BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The answer of the respondent in the bill of the above case exhibited is as follows:-

- (1) That he neither admits or denys the first paragraph of the Complainant's bill.
- (2) That he admits the second paragraph of the Complainant's bill.
- (3) That he admits the third paragraph of the Complainant's bill.
- (4) That he admits the fourth paragraph of the Complainant's bill.
- (5) That he admits the fifth paragraph of the Complainant's bill.

WHEREFORE the respondent prays that the Complainant's Bill be dismissed.

J. Steward Davis
ATTORNEY FOR RESPONDENT.

Circuit Court No. 2

308 B
1923 Docket 32

Helen B. White

vs.

Howard B. White

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

Mr. Blair

*Please find
attached*

No. *22953 B*
H

Filed *17 July*, 1923

Helen^B White

vs.

Howard B. White

IN THE
Circuit Court No. 2,
OF
BALTIMORE CITY.

To the Honorable the Judge of the
Circuit Court No. 2 of Baltimore City:

THE PETITION OF Helen B. White

Plaintiff

in this case, respectfully shows that she desires to take testimony in this case, and respectfully prays that leave be granted her to do so before one of the Standing Examiners of this Court.

Jackson
Solicitor for Plaintiff

ORDERED, this 17 day of July 1923, 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.

H. Arthur Stump

Docket B. 308/1923

IN THE CIRCUIT COURT No. 2

Helen B. White

vs

Howard B. White

DEPOSITIONS

No. 229513B
31

PLAINTIFF'S COSTS

Examiner	\$ 8.00
Copies	
Notices	
Sheriff	
Stenographer	2.00
	<u>10.00</u>

DEFENDANT'S COSTS

Examiner	\$
Copies	
Notices	
Sheriff	
Stenographer	
	<u>\$</u>

ALFRED J. CARR, Examiner

Filed 2 day of August 1924

3/19/11/15

Helen B. White

vs.

Howard B. White

In the Circuit Court No 2
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, George Arnold Frick
~~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
17th day of July 1923, met on
the 23rd day of July in the year nineteen
hundred and twenty three at my office, in the City of Baltimore, in the State
of Maryland, and assigned the 24th day of July
in the same year at eleven o'clock in the fore 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 _____ of the
Plaintiff to take the following depositions, that

is to say:—

HELEN BEATRICE WHITE, the plaintiff, produced as a witness on her own behalf, being first duly sworn, deposes and saith as follows-that is to say*

BY THE EXAMINER:-

1 Q- Will you state your name, address and occupation?

A- My name is Helen Beatrice White, my address is 1404 Argyle St., my occupation is dressmaking.

2 Q- Are you the plaintiff in this proceeding?

A- Yes sir.

3 Q- How long have you known the defendant?

A- I have known him about seven years.

BY MR. JACKSON

4 Q- When where and by whom were you married?

A- I was married January 7, 1918, at the parsonage of the A. M. E. Church on Linden Ave., Baltimore, Md., by Rev. S. M. Johnson, a duly ordained Minister of that church.

5 Q- After you were married, where did you go to live?

A- On Biddle St.;

6 Q- Are you and your husband now living together and if you say no, tell us which left the other?

A- No sir, we are not living together. He left me.

7 Q- When did he leave you?

A- About the tenth of April, 1923.

8 Q- He went and married another woman, did he.?

Helen Beatrice White.

A. Yes sir.

Note:- Certified copy of the conviction of Howard
the crime of

B. White of Bigamy will hereafter be filed and marked
Plaintiff's Exhibit Examiner No. 1.

9 Q. Have you lived or cohabited with your husband since
you found out he married this other woman and committ-
ed adultery?

A. No sir.

10 Q. Are there any children born as a result of this marri-
age?

A. No sir.

11 Q. How long have you and your husband been residents of
Baltimore City?

A. Both of us have been residents all of our lives.

12 Q- Have you forgiven your husband or do you expect to go
back to live with him?

A- No sir.

13 Q- You have not condoned the offense?

A- No sir.

14 Q- You have not cohabited or lived with him?

A- No sir.

(No Cross Examination)

August 2, 1924.

Counsel for the plaintiff now files in evidence with the
Examiner as Plaintiffs exhibit examiner No 1 short copy
of docket entries.

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.
Helen B. White

Martha D. Johnson, a witness produced on behalf of the plaintiff, being first duly sworn, deposeseth and saith as follows-that is to say-

BY THE EXAMINER:-

1 Q- Will you state your name, address and occupation?

A- My name is Martha D. Johnson, my address is 1404 Argyle St., My occupation is Janitress.

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

A- I do. I am the mother of the plaintiff, and the mother-in-law of the defendant.

BY MR. JACKSON:-

3 Q- You know that they were lawfully married?

A- Yes sir.

4 Q- Were you present at the marriage?

A- No sir.

5 Q- You know that they were living together as man and wife and were so received by their acquaintances?

A- Yes sir.

6 Q- Are your daughter and your son-in-law now living together?

A- No sir.

7 Q- Which left the other?

A- He.

8 Q- When?

A- In April, 1923.

Martha D. Johnson

9 Q- Were you in the Criminal Court of Baltimore City, when he pleaded guilty to having another wife?

A- Yes sir.

10 Q- Has your daughter lived or cohabited with him since discovering adultery with other women?

A- No sir.

11 Q- No children born as a result of this marriage?

A- No.

12 Q- Both of them are residents of Baltimore City and have been all their lives?

A- Yes sir.

13 Q- What was the conduct of your daughter, the plaintiff, to the defendant?

A- She was a true and faithful wife.

(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.

Martha D Johnson

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 second _____ day of August _____ in the year of our Lord nineteen hundred and twenty four _____ at the City of Baltimore in the State of Maryland.

George Arnold Frick 
Examiner.

There are one _____ Exhibits with these depositions, to wit:
Plaintiff's _____ Exhibit Examiner no. 1. _____

Defendant's _____ Exhibit _____

George Arnold Frick
Examiner.

George Arnold Frick
I, ~~ALFRED J. GARR~~, 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 _____.

George Arnold Frick
Examiner.

STATE OF MARYLAND,

vs.

Howard White^c
vs. Whitten

Short Copy of Docket Entries

7022953B
6

PLAINTIFF EXHIBIT
EXAMINER, No. 1

FILED WITH THE EXAMINER

the 2 day of Aug 1924

George A. A. A.
Examiner

Plaintiff Exhibits
of 2 August 1924

State of Maryland

vs.

Howard White
et alia Whitten

IN THE

Criminal Court of Baltimore

1923	No. 1269	Appearance J. S. Davis	January Term, 1924
	Charge, Bigamy		Prosecuting Attorney Helen White
25 Apr.	Commitment filed,		
	Recognizance filed,		
27 Apr	Presentment filed—e.—d.—Capias issued—cepi,		
24 "	Recognizance taken, Harrison Ellis \$500.		
4 May	Indictment filed,		
15 "	Arraigned and pleads, Guilty		
" "	Submits under plea, Guilty	before Stein J	
" "	Verdict:	"Sub caria." Returned to J. S. Davis	
3 Aug.	Judgment: Sentence Suspended - Paroled to pay costs \$30.95 etc. Order pd		3/13/24 Costs paid Sheriff

STATE OF MARYLAND,

Baltimore City, to wit:

I Hereby Certify that the foregoing is a true Copy of the Docket entries in the aforesaid case, taken and copied from the record of proceedings of the Criminal Court of Baltimore.

In Testimony Whereof, I hereto set my hand and affix the seal of the Criminal Court of Baltimore, this

1st day of August A. D., 1924

Edward Gross
Clerk Criminal Court of Baltimore.

Cir. Ct. No. 2.

308
192 3 B

Docket No. 32

Helen B. White

vs.

Howard B. White

SUBMISSION FOR DECREE.

Mr. Clerk,
Please file,

E. Jackson
Solicitor for Plaintiff.

No. 22943 B
7

Filed 4 August 1924

Helen B White

vs.

Howard B White

In the Circuit Court No. 2
Of Baltimore City.

.....TERM 192.....

To the Honorable

.....
Judge of the Said Court:

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

.....
.....
.....
E. Jackson

Solicitor for Plaintiff,

.....
.....
.....
J. Steward Davis

Solicitor for Defendant.

Ct. Ct. No. 2

308 B

1923

Docket No. 32

Helen B White

vs.

Helen B White

**Order of Reference
and Report**

Mr. Clark
Receives
Junkin
Sup. P.H.
No. 22953 B
8-9

Order Filed 4 day of Aug 1923
Report Filed 18 day of Oct 1924

IN THE
Circuit Court No. 2

OF
BALTIMORE CITY

July Term, 1924

Helen B White

vs.

Howard B White

This case being submitted, without argument, it is ordered by the Court, this 4
day of August, 1924, that the same be and is hereby referred to
Ward B. Cus, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

Charles F. Steen

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the wife against
her husband on the ground of adultery. Code Art. 16 secs. 36-41.

Defendant summoned and answers by solicitor.

Residence of both parties in Baltimore City for more than two
years proven.

The marriage proven.

The adultery proven.

More than thirty days have elapsed since the filing of the bill.

Case submitted and ready for decree.

Ward B. Cus

Auditor and Master.

August 5th, 1924.

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

Ward B. Case
Auditor and Master.

Circuit Court No. 2

B 308
1923 No. Docket

HELEN B. WHITE

vs.

HOWARD B. WHITE

DECREE OF DIVORCE

OK R
No. *22953 B*

Copies = copied

Filed *20 October*, 192*3*

IN THE

Circuit Court No. 2,

OF

BALTIMORE CITY

Term, 192

HELEN B. WHITE

VS.

HOWARD B. WHITE

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

It is thereupon, this 20th day of October, Anno

Domini, one thousand nine hundred and twenty-four by the CIRCUIT COURT No. 2

OF BALTIMORE CITY, Adjudged, Ordered and Decreed, that the said

Helen B. White

the above named complainant be, and she is hereby DIVORCED A VINCULO MATRIMONII, from the defendant, the said Howard B. White.

[Dotted lines for signature]

And it is further Ordered, that the said defendant pay the cost of this proceeding.

Walter J. Dawkins

I, JOHN PLEASANTS, Clerk of the Circuit Court No. 2 of Baltimore City, do hereby certify that the above is a true copy of the decree taken from the record of proceedings in said cause.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the said Court, this day of 192