

IN THE CIRCUIT COURT

13 of 3
BALTIMORE CITY

1922
EMILY WILLIAMS

VS.

RICHARD WILLIAMS

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

B 23973

[Signature]

ATTORNEY FOR COMPLAINANT

let 27 June 1922

J. Stewart Davis
DAVIS & BISHOP
ATTORNEYS AT LAW

BANNEKER BUILDING

14 E. PLEASANT STREET

BALTIMORE, MD.

215 St. Paul Place

EMILY WILLIAMS : IN THE CIRCUIT COURT
VS. : OF
RICHARD WILLIAMS : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:

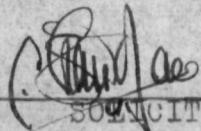
- I. That she was married to her husband, Richard Williams October 5, 1915 in Norfolk, Virginia, and with whom she resided until about the 12th day of August, 1916.
2. That though the conduct of your Oratrix toward the said Richard Williams has always been kind, affectionate and above reproach, he has without just cause or reason abandoned and deserted her and has declared his intention to live with her 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 result of said marriage,
4. That your Oratrix has not lived or co-habited with said defendant since said desertion.
5. That both your Oratrix and defendant are citizens of the State of Maryland, having resided in Baltimore City for more than three years before the filing of this bill of complaint.

TO THE END THEREFORE,

- a. That your Oratrix be divorced a vinculo matrimonii from the said defendant, Richard Williams.
- b. That your Oratrix may have the right to resume her maiden name (Simmons).
- c. That she may have such other and further relief as her case may require.

May it please your Honor to grant unto your Oratrix the Writ of Subpoena directed against the said Richard Williams, commanding him to be and appear in this Court on some day certain to be named therein to answer the permises and abide by and perform such decree or order as may be passed therein.

AND as in duty bound, etc.



SOLICITOR FOR COMPLAINANT.

571

553
1922

B62

Ct. Ct.

Docket No.

Williams

" 637 Dolphin
Williams

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

23973

627 Dolphin
2

Filed

10 July

1922

J. S. Davis

SOLICITOR

10

Summ'd and a copy of the Process goes with
the defendants

(Kelly) 7/5/22 Thomas F. McVulky
Sheriff Fees \$ 0.80

EQUITY SUBPOENA

The State of Maryland

To

Richard Williams

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

Emily Williams

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 8th day of May 192 3

Issued the 27 day of June, in the year 192 3

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.)

In The
Circuit Court of
Baltimore City

303
1922
Emily Williams

vs.

Richard Williams

"Answer to Bill"

Mr. Clerk:-

Please file, etc.,

Lewis S. Flagg, Jr.
Sol. for Defen.

B 23973
2

Lewis S. Flagg, Jr.
14 East Pleasant St.,
Baltimore, Md.

At 14 July 1922

EMILY WILLIAMS

VS

RICHARD WILLIAMS

*
IN THE
*
CIRCUIT COURT
*
OF
*
BALTIMORE CITY.
*

*
TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Defendant's Answer to the Bill of Complaint filed in the above entitled cause respectfully shows:

(1)

That the defendant admits the allegations contained in paragraphs numbered one (1), three (3), and five (5) of the said Bill of Complaint.

(2)

That the defendant neither admits nor denies the allegations contained in paragraphs numbered two (2) and four (4) of the said Bill.

Having answered all the material allegations of the Bill, the defendant respectfully asks that the Bill be dismissed with costs.

As in duty bound, will ever pray,

Richard H. Williams
Defendant.

Louis S. Hays, Jr.
Solicitor for Defendant

353
11/22

CIRCUIT COURT

313
1922

Docket No.

Ernie Williams
vs.

Richard Williams

Order

19

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

Salt
No. B23973

<4>

Fd 28" July 1922

Emily Williams

vs.

Richard Williams

IN THE
Circuit Court
OF
BALTIMORE CITY

To the Honorable the Judge of the
Circuit Court of Baltimore City:

THE PETITION OF

Emily Williams

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

Solicitor for *complainant*

ORDERED, this *28th* day of *July* 192*7*, 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.

Charles F. Stuenkel

3/12/14/79

Doc. B 359
1922

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Emily Williams

vs.

Richard Williams

No. 23973B

PLAINTIFF'S COSTS

Examiners.....\$ 5⁰⁰
Copies.....
Sheriff.....
Stenographer.....3⁰⁰
\$ 11⁰⁰

DEFENDANT'S COSTS

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

H 10 Oct 1922

Emily Williams

vs.
Richard Williams

In the Circuit Court
OF BALTIMORE CITY.

The above 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, 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
Twenty-eighth day of July 1922, met on
the Twelfth day of August in the year nineteen
hundred and twenty-two at my office, in the City of Baltimore, in the State
of Maryland, and assigned the fourteenth day of August
in the same year at three o'clock in the afternoon and the
office of J. Stewart 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:—

8-3

Williams,

v.

Williams.

Testimony taken at the office of Mr. Davis,
Courtland Street, Baltimore, Maryland, August 14th.,
1922, at 3 O'clock P. M.

EMILY WILLIAMS, the Plaintiff in this case,
produced on her own behalf, having been first duly
sworn, deposes and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name, residence and occupation?

A. Emily Williams, 722 1/2 West Franklin Street;
laundry work .

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

A. I am the Plaintiff and my husband is the
Defendant.

BY MR. DAVIS:

1 Q. When were you married?

A. 1915.

2 Q. What month?

A. October 5th.

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

A. Yes.

4 Q. In Baltimore City?

A. No sir; in Virginia - Norfolk.

Emily Williams.

5 Q. By a Religious CeremonyL

A. Yes.

6 Q. What was your conduct towards your husband while living together?

A. Good.

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

A. Yes.

8 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.

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

A. No.

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

A. No sir.

12 Q. Which left the other; did he leave you or did you leave him.

A I was forced to leave him.

12 Q. When?

A. The year after I was married.

13 Q. You have alleged that it was August 1916; is that right?

A. Yes.

Emily Williams.

14 Q. You say that you had to leave him; why did you have to leave him?

A. I got some letters of his

15 Q. Who were the letters from?

A. From another woman, and after getting after him about it, he got to fighting and he beat me .

16 Q. Was this beating severe?

A. yes.

18 Q. Did he cut and bruise you.

A. Yes; he bruised me.

19 Q. And what else did he do to you on that occasion.

A. He forced me to leave and told me to get out.

20 Q. Did he push you out of the house?

A. Yes , and he opened the door and told me to get out.

21 Q. After he had beaten you.

A. Yes.

22 Q. And was or not his going and opening the door and striking you as you went out all one action.

A. He struck me before I went out.

23 Q. But I mean this time when he struck you the last lick after giving you the beating, - was it or not all done at one time; that is, he gave you the final blow and opened the door and ordered you out, - Was it or not all

Emily Williams.

done at one time?

A. Yes.

24 Q. After that time did you go to him and try to get him to live with you and do as a husband should?

A. Yes.

25 Q. What did he say?

A. He said that he did not want to live with me any more.

26 Q. Did you try to get him to come back and live with you on more than one occasion after he put you out?

A. Yes.

28 Q. What did he say?

A. He said no.

29 Q. Has this abandonment continued uninterruptedly sine August 1916; have you lived or cohabited with him since that time?

A. No sir.

30 Q. Have you had anything to do with him since that time?

A. No.

31 Q. Have you cohabited with him since that time?

A. No.

32 Q. State whether or not his abandonment of you was deliberate and final; did he deliberately and finally abandon and desett you?

Emily Williams.

A. Yes.

33 Q. State whether or not there is any reasonable expectation of a reconciliation, - do you ever expect to make up and live together again.

A. No sir.

33 Q. You have asked for the right to resume the use of your maiden name; what is your maiden name?

A. Simmons.

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.

Emily Williams

See v. St. Helen

262

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2a

Boothby 1328
Smith

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

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. Frances Copeland, 334 West Preston Street; maid.

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

A. Yes.

BY MR. BOND:

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.

3 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.

4 Q. There are no children as the result of this marriage?

A. No.

6 Q. What was her conduct towards her husband while living together?

A. Good.,

Frances Copeland.

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

A. yes.

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

A. No sir.

9 Q. Which left the other?

A. She left him.

10 Q. When?

A. 12th., August 1916.

11 Q. Why did she have to leave him?

A. Because he forced her out and beat her.

11 Q. How do you know that he beat her and put her out of the house on that occasion.

A. When she was forced out and forced to leave him she came to my house, and she was all bruised and crying, and I asked her what was the matter, and she said that her husband had put her out and beaten her; I saw the bruised on her, and a couple of weeks after that I went to see her husband and I asked him to come down to the house to see his wife; I was trying to get them together.

He came down and he and his wife and myself were in the room together talking, and I tried to get them together and his wife asked him to take her back, and

Frances Campbell .

he said no, that he did not want to live with her, and he left.

12 Q. On this visit -- on this first occasion a couple of weeks after he beat her and put his wife out, - Did you ask him whether he had beaten her and put her out?

A. Yes.

13 Q. What did he say?

A. Yes; he said that he beat her and put her out.

14 Q. Now, after this time did you know as a matter of truth that his wife did on more occasions than one try to get him to come back and live with her and do as a husband should?

A. Yes.

15 Q. Would he come back or what did he say each time?

A. He said that he would not come back.

16 Q. Did he say that each and every time?

A. He said that he thought that she and him would never make it again.

17 Q. And outside of his wife's efforts, did you or not, on your personal behalf, try to get him to come back and live with his wife and do as a husband should.

A. Yes.

Frances Copeland.

18 Q. Would he do it.

A. No.

19 Q. What did he tell you.

A. He said that he did not think that he could live with her any more.

19 Q. Has he provided or offered to provide a home for his wife since he abandoned and deserted her?

A. Yes ✓

21 Q. Was there anything to prevent him doing so if he had wanted to.

A. No sir.

21 Q. Has this abandonment continued uninterruptedly since August 1916?

A. Yes.

23 Q. Have they lived or cohabited together since that time

A. No sir.

23 Q. State whether or not said abandonment was deliberate and final; did he deliberately and finally abandon and desert his wife?

A. Yes.

25 Q. Did he deliberately beat her and put her out of the house.

A. Yes.

Frances Copeland.

26 Q. And did he deliberately say that he would not take her back any more?

A. Yes.

27 Q. State whether or not there is any reasonable expectation of a reconciliation?

A. No sir; there is not.

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. ---

James C. Ordard

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 October 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 one..... Exhibits with these depositions, to wit:

Plaintiff's..... Exhibit X

Defendant's..... Exhibit X

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.

352162 Circuit Court

19 22

Docket No. _____

Ermy Williams

vs.

Richard Williams

SUBMISSION FOR DECREE.

Mr. Clerk,

Please file,

[Signature]

Solicitor for Plaintiff.

No. 23973

Filed 13 Oct 19 22

Emily Williams

Richard Williams

vs.

In the Circuit Court
of Baltimore City

TERM 1922

To the Honorable

Judge of Said Court:

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

Solicitor for Plaintiff,

Solicitor for Defendant.

Circuit Court

353
19 22 26 v Docket No.

Emily Williams

vs.

Richard Williams

Order of Reference
and Report

Potterson
B 23973

No. 7

Order Filed 13 day of Oct 19 27

Report Filed day of 19

Emily Welbair

vs.

Richard Welbair

IN THE
Circuit Court

OF
BALTIMORE CITY

Term, 19

This case being submitted, without argument, it is ordered by the Court, this 13th day of October, 19 , that the same be and it is hereby referred to Alexander 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 wife against husband for divorce a vinculo matrimonii on ground of abandonment for three years, Code Art. 16, Sect. 36. Defendant summoned and answers. Proof shows marriage, residence and abandonment by defendant for at least three years, continuous, deliberate, final and without hope of reconciliation. Plaintiff should be permitted to resume her maiden name of Emily Simmons. Case submitted and ready for decree.

Alex H. Robertson
Auditor & Master.

CIRCUIT COURT

B 353 362
1922 No. Docket

Emily Williams

VS.

Richard Williams

Recorded

Folio 235 1922

Decree of Divorce

B 23973

B No.

8

A 16 October 1922

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

Alex H. Robertson
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

.....Emily Williams.....

VS.

.....Richard Williams.....

.....September.....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 16 day of October, A. D. 1922

by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

Emily Williams

the above named Complainant be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, Richard Williams and that the plaintiff be permitted to resume her maiden name of Emily Simmons.

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

Carroll J. Bond