

IN THE CIRCUIT COURT

63 OF B 583
BALTIMORE CITY MD

ALGENER WOODS

VS.

VIOLA WOODS

715 N. Dallas St.

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

J. Steward Davis
Solicitor for Complainant

B 25863

J STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE MD

Ad 5 Sept 1923

ALGENER WOODS : IN THE CIRCUIT COURT
VS. : OF
VIOLA WOODS : BALTIMORE CITY.

TO THE HONORABLE ,THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

(1)

That he was married to his wife, Viola Woods on the 20th day of January, 1920 and with whom he resided until about the 2nd day of August, 1920, when the defendant deserted the plaintiff.

(2)

That though the conduct of your Orator toward the said Viola Woods has always been kind, affectionate and above reproach, she has, without any just cause or reason abandoned and deserted him and has declared her intentions to live with him 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 your Orator has not lived or co-habited with the said defendant since said desertion.

(4)

That there are no children as issue of said marriage.

(5)

That both your Orator and the defendant are citizens of the State of Maryland, having resided in Baltimore City for more than three years prior to the filing of this Bill.

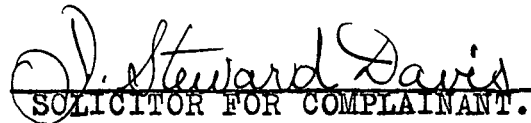
TO THE END, THEREFORE;

(a) That your Orator may be divorced a Vinculo Matrimonii from the said Viola Woods.

(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 Writ of Subpoena directed against the said Viola Woods 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.


SOLICITOR FOR COMPLAINANT.

449-466-4915

583 B63
192 3

Ct. Ct.

Docket No.

Woods

Woods
915 N Dallas St

SUBPOENA TO ANSWER BILL OF COMPLAINT

B

No. 25863

(2) (5)

Filed 11 Sept 1923

" J S [Signature] " 2
" 13 [Signature] "
" 8 Oct 1923 "

SOLICITOR

New East
(Einkhelstein)

Thomas F. Mc Nulty
Sheriff

9/13 1923

REISSUED TO October Return Day, 1923
Chas. R. Whitford
Clerk

New East
(Einkhelstein)

Thomas F. Mc Nulty
Sheriff

10/9 1923

REISSUED TO Monday Return Day, 1923

Chas. R. Whitford
Thomas F. Mc Nulty
Sheriff

New East
(Einkhelstein)

EQUITY SUBPOENA

The State of Maryland

To

Viola Woods

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 **September** next cause an appearance to be entered for you and your answer to be filed to the complaint of

Algeron Woods

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 **9th** day of **July** 192**3**

Issued the **5th** day of **September**, 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.)

Ct. Ct.

192

Docket No.

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

Filed..... .192

SOLICITOR

EQUITY SUBPOENA

The State of Maryland

To

Viola Woods

Lead

REISSUED TO *October* ^{9/13} 1923
Return Day, 1923
Chas R Whiteford
Clerk

REISSUED TO *Wrenck* ^{10/9} 1923
Return Day, 1923
Chas R Whiteford

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

Algernon Woods

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 **9th** day of **July** 1923

Issued the *5* day of **September**, in the year 1923.

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 25863
IN THE CIRCUIT COURT OF
BALTIMORE CITY

ALGENER WOODS *1920*

VS.

VIOLA WOODS

B 25863
answer
(3)
PETITION AND ORDER THEREON

Mr. Clerk:-

Please file.

Joseph H. Henry Jr.
ATTORNEY FOR DEFENDENT

11 Sept 1923

ALGENER WOODS : IN THE CIRCUIT COURT
VS. : OF
VIOLA WOODS : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of Viola Woods, the defendant in the above entitled cause, respectfully shows:

(1)

That the plaintiff has filed his bill in this Court for a divorce a vinculo matrimonii from your petitioner on the ground of desertion and abandonment, as will appear by reference to said bill of complaint in this cause.

(2)

That your petitioner altogether denies said charge and affirms that when said cause comes on to be heard it will be seen by the court that said charge is entirely destitute of foundation.

(3)

That your petitioner is advised that she is entitled to have an order passed by this court requiring the plaintiff to pay her a reasonable and proper sum for alimony pendente lite for her personal support, and also a reasonable and proper sum to enable her to defray the necessary expenses of her defence to said bill, and to compensate the counsel whom she has employed to defend the said suit.

(4)

That your plaintiff is employed and earns about twenty-five dollars per week.

Your petitioner therefore prays your Honor to pass an order requiring the said Algerner Woods to pay her for alimony pendente lite, such a sum, and at such intervals, as to the Court

shall seem proper, to enable your petitioner to defray the expenses to which she will be put in defending said suit, including therein a reasonable fee for her counsel.

AND as in duty bound, etc.


SOLICITOR FOR PETITIONER.

Ordered, this day of 1923, by the Circuit Court of Baltimore City, that the matter of the above petition stand for hearing on the day of 1923, provided a copy of the same, and of this order, be served on the plaintiff's solicitor on or before the day of 1923.

This is to certify that I Viola Woods
on this fifth day of September 1928 do hereby
retain the services of Atty. J. H. Henry to
defend me in the case of Woods vs Woods.
filed at the Circuit Court of Baltimore, City.

Viola Woods

B 63

Docket 583
1923

Circuit Court

Hoods

vs.

Hoods

Order Counsel Fee and Alimony

Pendente Lite

(J) 25863

No.

(4) (6)

\$250

Week

no check

Ad 13 Sept 1923

8 5 2 1/2 4

New East

(Grand Return)

New East

(Embelstein)

Thomas J. Mc Mully
Sheriff

Charles F. Mc Mully
Sheriff

Algene Woods

vs.

Viola Woods

-IN THE-
CIRCUIT COURT

-OF-

BALTIMORE CITY

Sept TERM

ORDERED BY THE COURT this 13 day of September 19 23

that the Plaintiff Algene Woods

pay to the Defendant Viola Woods

the sum of twenty five Dollars as Counsel Fee for the

Solicitor of the Defendant and that he further pay the sum of seven

Dollars per week, during the continuance of this suit, to the said Defendant Viola Woods

as Alimony, *pendente lite*, unless cause to the contrary be shown on or before the 28

day of September 19 23, provided a copy of this Order be served on the said Plaintiff

Algene Woods on or before the 24

day of September 19 23

Henry Duff

TRUE COPY-TEST

CLERK

Docket.....

Circuit Court

ALGENE WOODS.....

vs.

VIOLA WOODS.....

Order Counsel Fee and Alimony

Pendente Lite

No.

—IN THE—
CIRCUIT COURT

—OF—
BALTIMORE CITY

September TERM

Algene Woods

vs.

Viola Woods

ORDERED BY THE COURT this 13th day of September 1923

that the Plaintiff Algene Woods

pay to the Defendant Viola Woods

the sum of twenty-five Dollars as Counsel Fee for the

Solicitor of the Defendant and that he further pay the sum of Seven

Dollars per week, during the continuance of this suit, to the said Defendant Viola Woods

as Alimony, *pendente lite*, unless cause to the contrary be shown on or before the 28th

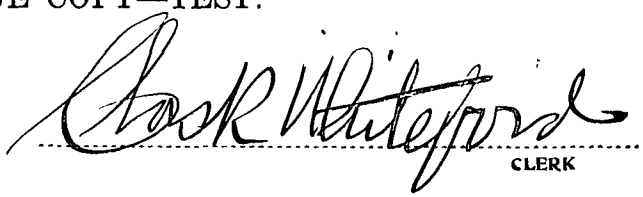
day of September 19 23, provided a copy of this Order be served on the said Plaintiff

Algene Woods on or before the 24th

day of September 1923.

Henry Duffy

TRUE COPY—TEST:


CLERK

The foregoing Order having been returned "Non Est" as appears by the Sheriff's return thereon; it is Ordered by the Circuit Court of Baltimore City this 8 day of October 1923, that the time for showing cause under said Order be extended to the 23 day of October 1923, and the time for service of a copy of the same be extended to the 18 day of

October 1923.

True Copy Test

Charles Whitehead

Henry Daffy

CIRCUIT COURT

583 B63
19 23

Docket No.

Woods

vs.

Woods

Order

19

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

B 25863
No.

(8)

Fd 27 Nov 1923

Algner Wood

vs.

Viola Wood

IN THE
Circuit Court
OF
BALTIMORE CITY

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

THE PETITION OF *Plaintiff*

in this case, respectfully shows that *he* desires 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.

J. Steward Davis
Solicitor for *Plaintiff*

ORDERED, this *27th* day of *November* 19*23* at

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. Stein

Pol
583 263 Circuit Court

19 23 Docket _____

wood

vs.
wood

SUBMISSION FOR DECREE.

Mr. Clerk,
Please file,

Solicitor for Plaintiff.

B
25863
No. *(10)*

Filed *7 March* 19 *24*

Alger woods

Viola Woods ^{vs.}

*In the Circuit Court
of Baltimore City*

TERM 19__

To the Honorable

Judge of Said Court:

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

Steward Davis

Solicitor for Plaintiff,

Irish H. Henry, Jr.

Solicitor for Defendant.

583 Circuit Court

1923 3 1863 Docket No.

Wood

vs.

Wood

Order of Reference
and Report

025863

No.

Robertson

Order Filed 7 day of March 1924
Report Filed day of 192

Algene Woods

vs.

Viola Woods

IN THE
Circuit Court

OF
BALTIMORE CITY

Jan Term, 1923
7

This case being submitted, without argument, it is ordered by the Court, this
day of March, 1924, 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.

Charles F. Stem

Report of Auditor and Master

Bill filed by husband against wife for divorce a vinculo matrimonii on the ground
of abandonment for three years. Code Article 16, Section 36. Defendant appears and
answers by solicitor; authority in writing. Proof shows marriage, residence and abandon-
ment of the Plaintiff for atleast three years continuous, deliberate, final and without
hope of reconciliation. Case submitted and ready for decree.

Alex H. Robertson

Auditor and Master.

Circuit Court

583

B

1923

No. 63

Docket

ALGENER WOODS,

vs.

VIOLA WOODS,

Recorded

Folio 75 1924

DECREE OF DIVORCE

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

Alger Holcomb
Auditor and Master.

B No 25863
(12)

Filed 21st March 1924

IN THE

Circuit Court

OF

BALTIMORE CITY

MARCH Term, 19 24.

ALGENER WOODS,

vs.

VIOLA WOODS,

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

It is thereupon, this 21st day of MARCH Anno Domini, one thousand nine hundred and twenty-four by the CIRCUIT COURT OF BALTIMORE CITY, Adjudged, Ordered and Decreed, that the said

ALGENER WOODS,

the above named complainant be, and he is hereby DIVORCED, A VINCULO MATRIMONII, from the defendant, VIOLA WOODS.

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

Charles R. Whiteford

I, CHARLES R. WHITEFORD, Clerk of the Circuit Court 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 19

Clerk Circuit Court of Baltimore City.

Doc. B ⁵⁸³
1923.

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Algernon Woods

vs.

Viola Woods

No. *25863B*

PLAINTIFF'S COSTS

Examiners..... \$ *8.00*

Copies.....

Sheriff.....

Stenographer.....

\$ _____

DEFENDANT'S COSTS

Examiners..... \$ _____

Copies.....

Sheriff.....

Stenographer.....

A. C. March \$ 1924

3/13/1/28

Algernon Woods

vs.

Viola Woods

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-seventh day of November 1924, met on the twenty-seventh day of November in the year nineteen hundred and twenty-three at my office, in the City of Baltimore, in the State of Maryland, and assigned the twenty-seventh day of November in the same year at two-thirty 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:—

ALGERNER WOODS

VS

VIDLA WOODS

-----o-----

Testimony taken at the office of J. Stewart Davis, Esq., 215 St. Paul Place, on Tuesday afternoon, November 27th, 1923, at 2:30 o'clock, P. M.

-----o-----

ALGERNER WOODS, the plaintiff in this case, produced on his own behalf, having been first duly sworn, deposeseth and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name, residence and occupation?

A. Algerner Woods, 823 Ashland Avenue; work at Jones Hollow Ware Company.

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

A. I am the plaintiff and the defendant is my wife.

BY MR. DAVIS:

1 Q. When, where and by whom were you married?

A. January 20th, 1915, in Baltimore, by the Reverend J. H. Winston.

2 Q. After your marriage, where did you and your wife live?

A. In Baltimore City.

Algerner Woods

3. Q. Are you living together now?

A. No.

4 Q. Which left the other?

A. She left me.

5 Q. When?

A. August 2nd, 1920.

6 Q. What was your conduct towards your wife?

A. I was a kind, affectionate and faithful husband, and provided for her.

7 Q. Did you give her any just cause or reason to desert you?

A. No; she had moved her things and was ready to go when I came home, and she would not say a word to me.

8 Q. What was her conduct towards you?

A. There was nothing noticeable until she had gone and rented a room and moved out; she did not give me any warning at the time, I did not know where she went, and when I did find out I heard that she said she would not live with me any more as long as a breath was in my body. I also heard that she moved out to live with another man; but I don't know this.

9 Q. Any children of this marriage?

A. No.

10 Q. How long have you lived in Baltimore City, Maryland?

A. Ever since 1910, and I still live here.

Algerner Woods

11 Q. Has this abandonment and desertion continued uninterruptedly for over three years prior to the filing of your bill in this case?

A. Yes.

12 Q. In your opinion is the separation deliberate and final, and beyond any hope of a reconciliation?

A. Yes.

13 Q. Since your wife deserted you on August 2nd, 1920, have you lived or cohabited with her?

A. No.

CROSS EXAMINATION WAIVED

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

Alger W. Cook

CATHERINE CEPHAS, 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. Catherine Cephas, 1738 Ashland Avenue; general housework.

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

A. Yes, I have known them about four years.

BY MR. DAVIS:

1 Q. What relationship exists between them?

A. They are husband and wife. I didn't see them married, but I saw their certificate. They both told me they were married, and they lived together as husband and wife, and they have lived in my house.

2 Q. Are they living together now?

A. No.

3 Q. Which left the other?

A. She left him. They were living in my house at the time, and she surprised me by telling me she was going to move and was going to leave her husband, and she moved the next day. All she said was that she was going to move, and I said is Algerner going with you, and she said no, she didn't intend to live with him as long as she lived.

Catherine Cephas

4 Q. What was his conduct towards his wife?

A. He was the kindest and most affectionate husband I have seen and he certainly took the best of care of her for a man of his standing.

5 Q. What was her conduct towards him?

A. She didn't do a woman's duty; she didn't cook, she didn't wash and she neglected the home.

6 Q. Were any children born of this marriage?

A. No.

7 Q. How long has he lived in Baltimore City, Maryland?

A. During the four years or more I have known him, and he still lives here.

8 Q. Did he give his wife any just cause or reason to desert him?

A. I don't think so; according to my judgment he did not.

9 Q. Has this abandonment and desertion of the plaintiff by the defendant continued uninterruptedly for more than three years prior to the filing of the bill in this case?

A. Yes, two or three months more than three years.

10 Is the separation deliberate and final, and beyond any reasonable hope of a reconciliation?

A. Yes, she told me positively three times she would

Catherine Cephas

never live with him again. She did not explain the reason.

11 Q. Since they separated, have they lived or cohabited together?

A. No.

TENERAL 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.

Just
Ed. R. Knight

Res
Calhoun & Cybas
mosh

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.....*5th* day of *February* in the year of Our Lord nineteen hundred and.....*Twenty-three* 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 *both*..... of which I was employed by the Plaintiff....., and on *none*..... by the Defendant.....

A. de Russey Sappington
Examiner.

The foregoing Order having been returned "Non Est" as appears by the Sheriff's return thereon; it is Ordered by the Circuit Court of Baltimore City this 8th day of October 1923, that the time for showing cause under said Order be extended to the 23rd day of October 1923, and the time for service of a copy of the same be extended to the 18th day of October 1923

Henry Duffey