B506/1932

IN THE CIRCUIT COURT NO. 2

-for-

BALTIMORE CITY

EDYTHE M. ASHE

-VS-

CALVIN R. ASHE

BILL FOR DIVORCE

A VINCULO MATRIMONII

MR. CLERK:

Howking FM Meahen

SOLICIPORIFOR PLAINTIFF.

No 35326 B.

HAWKINS & MCMECHEN
ATTORNEYS AT LAW
14 E. PLEASANT STREET
BALTIMORE, MD.

FILED 28. December 1932

EDYTHE M. ASHE : IN THE CIRCUIT COURT NO. 2

:

-vs- : -for-

CALVIN R. ASHE

: BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID WURT:
Your Oratrix, complaining, says:-

-FIRST-

That on the 3rd day of July, 1928, she was married to her husband, CALVIN R. ASHE, in Baltimore City, by a regularly ordained minister of the gospel, and that they lived together in said City, until the 9th day of October, 1929, when the defendant deserted this plaintiff.

-SECOND-

That, though the conduct of your oratrix towards her husband, the said CALVIN R. ASHE, had always been kind, affectionate and above reproach, the said CALVIN R. ASHE, without any just cause or reason, abandoned and deserted her; has declared his intention to live with her no longer; that such abandonment has continued uninterruptedly for more than three years; is deliberate and final, and the separation of the parties beyond any reasonable hope or expectation of reconciliation.

-THIRD*

That there are no children born as result of said marriage.
-FOURTH-

That your oratrix is a resident of Baltimore City, State of Maryland, and has been for more than two years last past; while the defendant is a non-resident of said City and State.

TO THE END, THEREFORE:

(1) That your oratrix may be divorced a vinculo matrimonii

from the defendant, CALVIN R. ASHE, her husband;

(2) That your oratrix may have such other and further relief as her case may require.

May it please your Honor to grant unto your oratrix, an Order of Publication, setting forth the substance and nature of this bill, commanding the said absent defendant, CALVIN R. ASHE, to be and appear in this Court at some certain day, to be named therein, and answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

B506/1932

IN THE CIRCUIT COURT NO.2

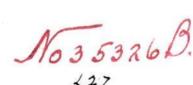
-for-BALTIMORE CITY

EDYTHE M. ASHE

vs=

CALVIN R. ASHE

ORDER OF PUBLICATION



Copy Loud = Loqued =

Fd 28- December 1932

HAWKINS & McMECHEN, SOLICITORS, 14 E. PLEASANT STREET.

IN THE CIRCUIT COURT NO. 2 FOR BALTIMORE CITY (B. 506 - 1932) - EDYTHE M. ASHE VS. CALVIN R. ASHE.

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 in Baltimore City, July 3, 1928, by a regularly ordained minister of the gospel; that the conduct of the plaintiff towards her husband, was kind, affectionate and above reproach; that the defendant abandoned and deserted the plaintiff without just cause or reason, on or about October 9, 1929; that the abandonment and desertion was deliberate and final, has continued uninterruptedly for more than three years, and that there is no hope or expectation of reconciliation; that there are no children of said marriage; that the plaintiff is a resident of Baltimore City, State of Maryland, and has been for more than two years last past; while the defendant is a non-resident of said City and State.

Order Publication

506 19.32	
	ashel
	Oshe

Certificate of Publication

No 35326B.

Filed / James and American 1933

THE DAILY RECORD

Hawkins & McMechen, Solicitors, 14 East Pleasant Street.

IN THE CIRCUIT COURT NO. 2 OF BAL-TIMORE CITY—(B—506—1932)—Edythe M. Ashe vs. Calvin R. Ashe.

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 in Baltimore City, July 3, 1928, by a regularly ordained minister of the gospel: that the conduct of the plaintiff towards her husband, was kind, affectionate and above reproach; that the defendant abandoned and deserted the plaintiff without just cause or reason, on or about October 9, 1929; that the abandonment and desertion was deliberate and final, has continued uninterruptedly for more than three years, and that there is no hope or expectation of reconciliation; that there are no children of said marriage; that the plaintiff is a resident of Baltimore City, State of Maryland, and has been for more than two years last past: while the defendant is a non-resident of said City and State.

It is thereupon ordered by the Circuit Court No. 2 of Baltimore City, this 28th day of December, 1932, that the plaintiff by causing a copy of this order to be inserted in some daily newspaper published in Baltimore City, once a week for four successive weeks before the 28th day of January, 1933, giving notice to the said absent defendant, Calvin R. Ashe, of the nature and substance of this bill, and warn him to be and appear in this Court in person, or by solicitor, on or before the 18th day of February, 1933, to show cause, if any he may have, why a decree should not be passed as prayed.

GEORGE A. SOLTER.

True Copy-Test:

JOHN PLEASANTS,

d29,ja5,12,19

Clerk.

Baltimore, January 1971, 1933
We hereby certify that the annexed advertise-
ment of Order Pullication Circuit Court
2 of Baltimore City, Case of
Edythe m ashe
vs. Callum Rashe
was published in THE DAILY RECORD, a daily news-
paper published in the City of Baltimore, once in each of
successive weeks before the
28 the day of January # , 1933
First insertion December 29 th , 1932

THE DAILY RECORD

Per Allsam

Ct. Ct. No.2 Docket B - 406 192 Edythe M. ashe Calvin Rashe Decree Pro Confesso No. 35326 B. Filed 17- February 1933

JDECREE PRO CONFESSO.[IN THE Edylhe M. ashe Circuit Court No. 2 OF BALTIMORE CITY Lacurary Term, 1983 The Defendant. moned (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 day 17- day of Jebruary in the year nineteen hundred and thirty hue by the Circuit Court No. 2 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 Dalven 1. Ushe 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. - Tryene of Dune let. let. No. 2. 13 1932 Edythe M. ashe Calvin R. ashe Plaintiff's Exhibit. Examiner No. No 3532619. Flied with the Examiner the / I day of Mcl 19 33 Gorge anold Frick Fd i 6. March 1933

Near Edythe Vestorday / lost all of our money did not pay tent Fraternity 50 / Just

Can't stry so lan going some where and try To make good With your father to help you will pay him, so long, Calvin .

let. let. No. 2. B 506 Roythe M. ashe Calvin R. Ashe Flaintiff's Exhibit, Examiner No. 2 No 35326D. Filed with the Examiner the II day of McL. 1933 Corge and Frick Fd 16 - March 1933

Dec. 9, 1930 Dear Fodythe, (2) I know you will be suprised to hear from an un worthy producal hus band, but I think it is about time you should hear from me because the mere thing of you darrying my name brings sorrow to you every time you look or think of et. For the last year I have been in the Show business and right now lam business manager for a show working its way South from New York, we have played N.s., Pa, Dolo and the Eastern Med. and non lam going I am very well in fact I have been ever since I left Balto, and I sincerly hope You have been. Every week 1 get the every week and (notice that you don't participate in many functions 1 guess because you are still Cartying my name. As I said in the note when I left I am making good and (am going to make good and stop in some nice town and go into a good business but never the less (will welcome a lotter from you because

as I say day in and day out you are the only woman lover loved and ever ever trost me again.) am leaving horse in a few minutes for Capo Charles, Va. It you write the same day you receive this letter you address, Calvin A. Ashe, General Dolivory, Whitesville, Va. Sincoroly Vours,
From four producal husband,
Cal

	Edythe M. Ashe
	vs.
	Calvin R. Ashe,
	DEPOSITIONS
	No 35326 B
	PLAINTIFF'S COSTS
	Examiner \$
	Copies
	Notices
	Sheriff
	Stenographer
	\$ 4
	DEFENDANT'S COSTS
-	Examiner \$
1000	Copies
WAY.	Notices
	Sheriff
See !	Stenographer
	\$

Edy the	M. Ashe	,
	vs.	
Calvin	R. Ashe	•

In the Circuit Court No. 2 OF BALTIMORE CITY

A Decree Pro Confesso having been passed, 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, 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 February 1933 met on the 10th day of March in the year nineteen hundred and thirty three, at my office, in the City of Baltimore, in the State of Maryland, and assigned the ____llth day of ____March 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 deposition, that is to say:

TESTIMONY taken at the office of George Arnold Frick, Examiner, on Saturday, March 11, 1933, at eleven o'clock in the afternoon.

Present: George W. F. McMechen, Counsel for the Plaintiff.

The reupon:

EDYTHE M. ASHE, the Plaintiff, produced as a witness on her own behalf, being first duly sworn according to law, deposeth and saith as follows - that is to say -

BY THE EXAMINER:

- 1 Q- State your name, residence and occupation?
- A- Edythe M. Ashe, 2007 McCulloh Street, Baltimore, Maryland. Teacher.
 - 2 Q- You are the Plaintiff in this Proceeding?
 - A- Yes.
- 3 Q- How long have you known the Defendant, Calvin R. Ashe?
 - A- Five or six years.

BY MR. MCMECHEN:

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

- A- July 3, 1928, at the parsonage of the Cosmopolitan Church, by the Reverend Douglas.
- 5 Q- Who was he?
 - A- Pastor of the Cosmopolitan Church.
- 6 Q- What denomination is that?
 - A- Community church, Baltimore, Maryland.
- 7 Q- Are you and your husband now living together?
 - A- No.
- 8 Q- Who left the other?
 - A- He left me.
- 9 Q- And when? .
 - A- October 9, 1929.
- 10 Q- At that time where were you living?
 - A- 1816 Madison Avenue, Baltimore, Maryland.
- 11 Q- Did you have the whole house there?
 - A- Third floor apartment.
- 12 Q- What business was he engaged in?
- A- He was a teacher in the Junior High Schools in Balti-City more/, Maryland.
- 13 Q- State the occasion which gave rise to him leaving you?
- A- No reason at all. He just took the money and left town.
- 14 Q- Tell the circumstances?
 - A- Well, he was gambling and took all our money and

- 15 Q- When did you last see him before he left?
 - A- In the morning. We started out to school together.
- 16 Q- Started out to school together?
 - A- Yes.
- 17 Q- And did you see him any more that day?
 - A- No. Not any more that day.
- 18 Q- Did he say anything about leaving you?
 - A- No. Not a word.
- 19 Q- I ask you to look at this and tell me what it is? (showing witness paper)
- A- That is a note which he left for me telling me what he had done and that he had gone.
- 20 Q- And that was on October 9, 1929?
 - A- Yes, October 9, 1929.
- 21 Q- What did you find in your apartment when you came back from school that day?
- A- I found that note and also found that my jewelry had gone, my money had gone and his clothes had gone.

 NOTE: The aforementioned note is now offered in evidence and filed with the Examiner marked "Plaintiff's Exhibit
- 22 Q- how much money did he take with him?
 - A- \$525.00.

Examiner No. 1."

23 Q- How do you place it that you had that much money in the apartment?

- A- I had my check cashed.
- 24 Q- Check from what?
 - A- From the school.
- 25 Q- That was pay day and that was the money you got from the school?
 - A- Yes, pay day.
- 26 Q- And you missed your money and your jewelry?
 - A- Yes, money and jewelry.
- 27 Q- Anything else missing?
 - A- His clothes.
- 28 Q- Do you know whether he had been in the habit of gambling before that?
 - A- I don't know that.
- 29 Q- You did not know he had been gambling?
 - A- No.
- 30 Q- What was the character of your conduct towards him? How did you treat him?
- A- I treated him very nicely. I was very nice to him. We had a comfortable home and everything was very pleasant.
- 31 Q- And how did he treat you?
 - A- He was very nice to me.
- 32 Q- Did he ever indicate, at any time, that he would leave you?
 - A- He never said anything about it before.
- 33 Q- How about the rent of the apartment and in what circumstances were you left in? -4-

- A- Well, he had not paid the rent for three months and I did not know that until the day he left me that the rent had not been paid for three months before.
- 34 Q- What business did you say he was engaged in?
- A- Teacher in the Junior High Schools in Baltimore City.
- 35 Q- How much did he earn a month?
 - A- Between \$140 and \$150 a month.
- 36 Q- The expenses that he incurred and left, who paid those?
 - A- I paid those.
- 37 Q- Have you seen him, at any time, since?
 - A- Just driving through the City once. That was all.
- 38 Q- Have you ever heard from him?
- A- I received one letter from him telling me that he was sorry he had left and what he was doing and told me to do the best I could and told me to write.
- 39 Q- Is this the letter under date of December 9, 1930?
 A- Yes.
- 40 Q- Do you know where he is now?
 - A- No, I do not.
- 41 Q- Have you ever lived together with him, at any time, since October 9, 1929?
 - A- No.
- 42 Q- Were there any children born as the result of your

marriage?

A- No.

43 Q- Will you tell us whether or not the abandonment by him of you has continued uninterruptedly for more than three years last past?

A- Yes.

44 Q- Ever since - ?

A- Ever since he left.

45 Q- Is it deliberate and final?

A- Yes.

46 Q- Do you regard that this separation is beyond any reasonable hope or expectation of a reconciliation?

A- Yes.

47 Q- How long have you lived in the City of Baltimore, State of Maryland?

A- I have lived here about twenty years.

48 Q- About twenty years?

A- Yes.

49 Q- For the last twenty years?

A- Yes.

50 Q- Is the Defendant a resident or a non-resident of the State of Maryland?

A- He is a non-resident of the State.

51 Q- And you don't know his whereabouts - you don't know?

A- No.

- 52 Q- Would you like to have your maiden name restored to you?
 - A- Yes.
- 53 Q- What is that maiden name?
 - A- McMechen.
- 54 Q- You have never heard from him except that particular letter?
 - A- No.
- 55 Q- Have you ever heard any body say where he was?
 - A- No.
- 56 Q- Did you answer that letter?
 - A- No.

NOTE: The aforementioned letter is now offered in evidence and filed with the Examiner marked "Plaintiff's Exhibit Examiner No. 2."

MR. McMECHEN: That's all.

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: 10. Edythe Mc Mechen asher

ANNA L. McMECHEN, produced as a witness on behalf of the Plaintiff, being first duly sworn according to law, deposeth and saith as follows - that is to say -

BY THE EXAMINER:

- 1 Q- State your name, residence and occupation?
- A- Anna L. McMechen, 2007 McCulloh Street, Baltimore, Maryland. House wife.
- 2 Q- Do you know the parties to this suit, Edythe M. Ashe and Calvin R. Ashe?
- A- Yes. The Plaintiff is my daughter and the Defendant is my son-Pn-law.

BY MR. McMECHEN:

- 3 Q- Do you know when, where and by whom she was married to Calvin R. Ashe?
- A- She was married by the Reverend Douglas's parsonage on July 3, 1928.
- 4 Q- Were you present at the marriage?
 - A- I was.
- 5 Q- And is the Reverend Douglas a duly ordained minister of the Gospel?
 - A- Yes, he is.
- 6 Q- Where did they live together after their marriage?
 - A- 1814 Madison Avenue, Baltimore, Maryland, third

- 7 Q- now were they situated there, if you know?
 - A- Very comfortable.
- 8 Q- What was the character of her conduct towards him?
 - A- Very kind, faithful, loving and affectionate.
- 9 Q- And what was the character of his conduct towards her?
 - A- The same.
- 10 Q- Do you know whether or not they are now living together?
 - A- They are not living together now.
- 11 Q- Who left the other, if you know?
 - A- He left her.
- 12 Q- When?
 - A- The 9th of October.
- 13 Q- "hat year?"
- A- 1929. Yes. One year and four months they lived together.
- 14 Q- Do you know when the abandonment took place?
 - A- The 9th of October, 1929.
- 15 Q- Do you know of any occasion that gave rise to the abandonment?
 - A- No, I don't.
- 16 Q- Did you ever visit them during the time they lived together?
 - A- Oft-times I visited them.

- 17 Q- When did you see him with reference to the time he abandoned her?
 - A- I saw him the day he left. He came to the house.
- 18 Q- How far is your home from where they lived?
 - A- He came to my house the day that he left her.
- 19 Q- What was the occasion of his coming to your house on that day?
- A- He casually came in and this day he came in and asked me for \$50.00. I thought he was just kidding or joking and I didn't let him have it.
- 20 Q- What, if anything, did he say?
- A- He laughed and said, "I guess I'll go home," and I ever went to the corner with him.
- 21 Q- Did you see him any more after that?
 - A- No.
- 22 Q- Do you know whether or not they have lived together at any time since the 9th of October, 1929?
 - A- They have not.
- 23 Q- Do you know whether he took any clothes or money with him on that occasion?
 - A- He took her jewelry and her money and his clothes.
- 24 Q- her money and his clothes?
 - A- Yes.
- 25 Q- Have you heard that he took any of his clothes to a pawn broker, any pawn broker's establishment?
 - A- Yes, I did.

- 26 Q- What, if anything, did he take?
 - A- Clothing and jewelry.
- 27 Q- Where was that pawn broker's establishment?
- A- I don't know the exact address but it was on Pennsylvania Avenue.
- 28 Q- How did you find out that he had pawned some clothing and jewelry?
- A- I just don't remember, but I think through his mother.
- 29 Q- Was there, in your estimation, any cause or reason for him abandoning and deserting his wife?
 - A- Absolutely no cause.
- 30 Q- Do you know whether your daughter has received any information, any letters, anything from him since he left?
 - A- She got one letter from him.
- 31 Q- Is that the letter introduced here in evidence?
 - A- Yes, that's it.
- 32 Q- Do you know whether this abandonment has continued uninterruptedly for more than three years last past prior to the filing of this Bill of Complaint?
 - A- Yes.
- 33 Q- That was on December 28, 1932?
 - A- Yes.
- 34 Q- Is it, in your estimation, deliberate and final, the abandonment and desertion?

- A- It is.
- 35 Q- And do you regard the separation has being beyond hope or expectation of a reconciliation?
 - A- I do.
- 36 Q- Fow long has your daughter, Edythe M. Ashe, been a resident of the City of Baltimore and the State of Maryland?
 - A- She has been here about twenty-five years.
- 37 Q- Continuously?
 - A- Continuously.
- 38 Q- Do you know whether he is a resident or a non-resident of the State of Maryland?
 - A- He is a non-resident of the State of Maryland.
- 39 Q- Where is she living now?
 - A- 2007 McCulloh Street at my home.
- 40 Q- Living with you?
 - A- Yes.
- 41 Q- And has lived there since the separation?
 - A- Since the separation.
- 42 Q- How has she conducted herself since the abandonment?
 - A- Very good, above reproach.
- 43 Q- What does she do at the present time?
 - A- Teacher in the public schools.
- 44 Q- How long has she been so engaged?
 - A- About six or seven years. I just don't remember.

- 45 Q- What was his work at the time?
 - A- Teacher in the public schools also.
- 46 Q- Do you know how he got out of the public school system?
 - A- He resigned.
- 47 Q- What date did he resign when did he resign?
 - A- About the same time a few days after he left.
- 48 Q- Did you have any knowledge of the fact that he intended to tender his resignation?
 - A- No, I did not.
- 49 Q- What was the main trouble? Do you know whether he had any nabits or any kind of practise?
- A- From the note he left he said he was gambling and had lost.
- MR. McMECHEN: That's all.

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: (6

Mr. ama L. Mc Mechan.

No other witne	sses 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	day of
March	in the year of our Lord, nineteen hundred
and thirty three	, at the City of Baltimore, in the State of Maryland.
	Many Amela Thisk (SEAL)
	Examiner.
TTI two	
I nere are	Exhibits with these depositions, to wit:
Plaintiff's	Exhibits Examiner Nos. 1 and 2.
Defendant's	Exhibit. Lengt And Task, Examiner.
I, GEORGE A	RNOLD FRICK, the Examiner before whom the forego-
ing depositions were ta	ken, 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 employ	ed by the plaintiff and on none
by the defendant	Janas Amela Frak
	Examiner.

Circuit Court No. 2

506	-B DOCKET No. 41	
	ala	
	ashe ashe	
		-

Order of Reference and Report

Coe

Order Filed 16 day of Med 19233
Report Filed 27 day of Med 19233

IN THE

Edythe Mache	Circuit Court No. 2
vs.	_of_
Culven & ashe	BALTIMORE CITY
	March TERM, 1923
This case being submitted, without argument day of	t, it is ordered by the Court, this
Report of Audit	
	matrimonii filed by the wife against
	donment. Code Art. 16, secs. 37-42
	as a non-resident and his non-
	ltimore City for more than two years
proven.	example of total one for the
	ears, its finality and the irrecon-
cilability of the parties proven.	
	assed against the defendant and
more than thirty days have since e	
Case ready for decree.	
	Ward B. Con
	Auditor and Master March 27, 1933

Circuit Court No. 2,

B 506

No.

Docket

EDYTHE M. ASHE

VS.

CALVIN R. ASHE

DECREE OF DIVORCE

No. 35326B.

Lopy 627- July 2

aled 28- March - , 193

EDYTHE M. ASHE Circuit Court No. 2,

vs.) OF
		BALTIMORE CITY
CALVIN R. ASHE		March Term, 193.Z
This cause standing ready for hea	ring and be	eing duly submitted, the proceedings were by the
Court read and considered.	7	
√ It is thereupon, this ≤	28-	day of farch, Anno
		three, by the CIRCUIT COURT No. 2
		that the said
ED	YTHE M.	ASHE,
		by DIVORCED A VINCULO MATRIMONII, from
the defendant, the said CALVIN R	. ASHE.	
AND IT IS FURTHER ORDERE	D that s	said complainant be and she is here-
by authorized to resume her	maiden	name: - Edythe M. McMechen.
		
		-
		7
And it is further Ordered, that th		aprarhant
pay the cost of this proceeding.	3	The man of the state
		my me o poso no
		I, JOHN PLEASANTS, Clerk of the Circuit
		Court No. 2 of Baltimore City, do hereby
140 THE 8		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, 193

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

Auditor and Master