

IN THE
CIRCUIT COURT OF
BALTIMORE CITY

B 45-3
1934

CARRIE BELL MOODY

VS

CHARLES OGLE MOODY

B 39306
(2)

ORDER FOR PUBLICATION

Mr. Clerk:

Please file etc.

Thurgood Marshall
Attorney for Plaintiff

THURGOOD MARSHALL
ATTORNEY AT LAW
604 PHOENIX BUILDING
BALTIMORE, MD.

FILED

15 Aug 1934

CARRIE BELL MOODY

*

IN THE

*

VS

*

CIRCUIT COURT OF

*

CHARLES OGLE MOODY

*

BALTIMORE CITY

ORDER OF PUBLICATION

The object of this suit is to procure a divorce a vinculo matrimonii by the plaintiff, Carrie Bell Moody, for the defendant Charles Ogle Moody.

The bill recites the marriage in September, 1906 in Baltimore City; the plaintiff has been a resident of Maryland more than two years; defendant is a non-resident; defendant abandoned and deserted the plaintiff in September 1921, said abandonment and desertion has been continuous more than three years, was deliberate act of defendant; there is no hope of reconciliation.

It is thereupon ordered this 15th day of August 1934, by the Circuit Court of Baltimore City, that the plaintiff, by causing a copy of this order to be inserted in some daily newspaper published in this city, once a week for four successive weeks on or before the 15th day of September 1934, give notice to said absent defendant of the object and substance of the bill and warning him to be and appear in this court, in person or by solicitor on or before the 1st day of October 1934, to show cause, if any he may have, why a decree should not be passed as prayed.

James H. Drum

True Copy ---Test

IN THE
CIRCUIT COURT FO
BALTIMORE CITY

B 453
1934

CARRIE BELL MOODY

Vs.

CHARLES OGLE MOODY

B 39306
(1)

BILL OF COMPLAINT

Mr. Clerk:

Please file etc.

Thurgood Marshall
Attorney for Plaintiff

THURGOOD MARSHALL
ATTORNEY AT LAW
604 PHOENIX BUILDING
BALTIMORE, MD.

FILED

15 August 1934

1. That your oratrix may be divorced a vinculo matrimonii
CARRIE BELL MOODY * IN THE
* defendant, Charles Moody.

2. That your oratrix may have such other and further relief
* as the nature of the cause may require.
* vs * CIRCUIT COURT OF

CHARLES OGLE MOODY * BALTIMORE CITY
* your Honor, to grant unto your oratrix the

order of publication, gl ***** the absent defendant, Charles
Ogle Moody, of the object and substance of this Bill of Complaint
warning him to be and appear in this court at some certain day

To the Honorable, the Judg/of said Court:

The bill of complaint of your oratrix respectfully represents
such decree as may be passed herein.
unto your Honor as follows:

1. That your oratrix, Carrie Bell Moody, was married to the defendant, Charles Ogle Moody, in Baltimore Maryland in September 1906 by a minister of the gospel.
2. That your oratrix resides in Baltimore Maryland and has been a resident of the State of Maryland for more than two years last part.
3. That the conduct of your oratrix towards her husband has always been kind, affectionate and above reproach.
4. That on or about September, 1921, the defendant without just cause or provocation deserted and abandoned your oratrix; that said abandonment has continued uninterruptedly since that date, was the defendant's own deliberate and final act, and is beyond any reasonable hope or expectation of a reconciliation.
5. That there are no children living as a result of this marriage.
6. That the defendant is not a resident of the State of Maryland and when last heard of was living in New Jersey.

WHEREFORE, your oratrix prays.

1. That your oratrix may be divorced a vinculo matrimonii from the defendant, Charles Moody.
2. That your oratrix may have such other and further relief as the nature of the cause may require.

May it please your Honor, to grant unto your oratrix the order of publication, giving notice to the absent defendant, Charles Ogle Moody, of the object and substance of this Bill of Complaint warning him to be and appear in this court at some certain day to be named herein, to answer the premises and abide by and perform such decree as may be passed herein.

And as in duty bound, etc.

Thurgood Marshall

Attorney for Plaintiff.

19.....

Docket No. 453
1934

Moody

vs.

Moody

Certificate of Publication

B39306
(3)

THE DAILY RECORD

Filed 11 day of Sept 1934

THE DAILY RECORD

Baltimore, September 6, 1934.

We hereby certify that the annexed advertisement of Order of Publication..... Circuit Court

..... of Baltimore City, Case of.....

Carrie Bell Moody
vs. Charles Ogle Moody

was published in THE DAILY RECORD, a daily newspaper published in the City of Baltimore, once in each of

..... four..... successive weeks before the
..... 15th day of September, 1934.

First insertion..... August 16, 1934.

THE DAILY RECORD

Per Carl McCombs

Thurgood Marshall, Solicitor,
604 Phoenix Building.
IN THE CIRCUIT COURT OF BALTI-
MORE CITY—(B—453—1934)—Carrie Bell
Moody vs. Charles Ogle Moody.

ORDER OF PUBLICATION.

The object of this suit is to procure a divorce a vinculo matrimonii by the plaintiff, Carrie Bell Moody, from the defendant, Charles Ogle Moody.

The bill recites the marriage in September, 1906, in Baltimore City; the plaintiff has been a resident of Maryland more than two years; defendant is a non-resident; defendant abandoned and deserted the plaintiff in September, 1921; said abandonment and desertion has been continuous more than three years, was deliberate act of defendant; there is no hope of reconciliation.

It is thereupon, ordered this 15th day of August, 1934, by the Circuit Court of Baltimore City, that the plaintiff, by causing a copy of this order to be inserted in some daily newspaper published in this city, once a week for four successive weeks, on or before the 15th day of September, 1934, give notice to said absent defendant of the object and substance of the bill and warning him to be and appear in this Court, in person or by solicitor, on or before the 1st day of October, 1934, to show cause, if any he may have, why a decree should not be passed as prayed.

SAMUEL K. DENNIS.

True Copy—Test:

CHAS. R. WHITEFORD,

au16,23,30,s6

Clerk.

DOCKET B. 453/1934

IN THE CIRCUIT COURT

Carrie Bell Moody

vs.

Charles Ogle Moody

DEPOSITIONS

B No. 39306

5

PLAINTIFF'S COSTS

Examiner \$.....

Copies

Notices

Sheriff

Stenographer

.....
\$

DEFENDANT'S COSTS

Examiner \$.....

Copies

Notices

Sheriff

Stenographer

.....
\$

GEORGE ARNOLD FRICK, Examiner

Filed 12 day of April 1935

Carrie Bell Moody

vs.

Charles Ogle Moody

In the Circuit Court
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
ninth day of October, 1934, met on
the 29th day of November in the year nineteen
hundred and thirty-four, at my office, in the City of Baltimore, in the
State of Maryland, and assigned the 30th day of November
in the same year at 12.30 o'clock in the afternoon 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 Friday, November 30th, 1934, at half past twelve o'clock in the afternoon.

Present: Thurgood Marshall, Counsel for Plaintiff.

Thereupon:

CARRIE BELL MOODY, the plaintiff, produced as a witness on her own behalf, being first duly sworn, deposeseth and saith as follows, that is to say -

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- Carrie Bell Moody, 520 W. Hoffman Street, Baltimore, Maryland, housework now.

2 Q- You are the plaintiff in this proceeding?

A- Yes, sir.

3 Q- How long have you known the defendant, Charles O. Moody?

A- Practically all my life.

Carrie B. Moody.

BY MR. MARSHALL:

4 Q- Mrs. Moody, have you been a resident of the City of Baltimore, State of Maryland for more than two years prior to the filing of this suit?

A- I have been a resident of the City of Baltimore, State of Maryland, all my life, continuously. I was born here.

5 Q- When were you married?

A- On September 16th, 1906.

6 Q- Where?

A- At Baltimore.

7 Q- By a minister?

A- Yes, by Reverend George W. West.

8 Q- Mrs. Moody, were any children born as a result of your marriage?

A- There were two.

9 Q- Are they living at the present time?

A- Both are dead.

10 Q- During the time you lived with Mr. Moody, your husband, were you always a kind, faithful and affectionate wife towards him?

A- I was.

11 Q- And did you ever give him any cause to be disagreeable or to doubt you in any way?

A- I did not.

Carrie B. Moody.

12 Q- Are you and your husband living together now?

A- No.

13 Q- When did you separate?

A- In September, 1921.

14 Q- Which one left the other?

A- He left me.

15 Q- When he left you did you give him any just cause or provocation to leave you at that time?

A- No, sir, I did not.

16 Q- Did he say anything when he left - did he make any statement as to whether he was leaving you or anything of that sort?

A- No.

17 Q- He just packed up his clothes and left?

A- Yes.

18 Q- Had he at any time before that said he was not going to live with you?

A- No, he had not.

19 Q- Have you heard from him since that time?

A- Yes, I have.

20 Q- When?

A- I heard from him about five years ago.

21 Q- Did he say whether or not he was coming back to live with you or not?

A- No, he said the depression got him in Atlantic City and he wanted to come to Baltimore.

Carrie B. Moody.

22 Q- Did he say he wanted to come to live with you or not?

A- No, he did not say so.

23 Q- Have you lived with him as husband and wife since the separation?

A- I have not.

24 Q- Have you seen him since that time you saw him five years ago?

A- I didn't see him five years ago, I just received a letter from him at that time.

25 Q- Have you seen or heard from him since that time?

A- Not since.

26 Q- Is there any hope on your part of a reconciliation between you two?

A- There is not.

27 Q- Is your husband a resident of the State of Maryland?

A- He is not at present.

28 Q- Do you know where he is?

A- No, I do not. I haven't heard from him for five years.

29 Q- When you heard from him where was he then?

A- Atlantic City, New Jersey.

30 Q- Since the time of the separation what has been

Carrie B. Moody.

your conduct - good or bad?

A- I have been a good woman since that time. I lived where he left me for about seven years after he left and then I lived on Druid Hill Avenue one year in an apartment and then I moved to where I am now about four years ago.

31 Q- Do you wish to resume your maiden name?

A- Yes.

32 Q- What was your maiden name?

A- Carrie Bell.

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:

As
Carrye Belle Moody

OLIVIA B. PAYNE, a witness of lawful age, produced on behalf of the plaintiff, being first duly sworn, deposeseth and saith as follows, that is to say -

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- Olivia B. Payne, 1307 Druid Hill Avenue, Baltimore, I am most too old to work now, I only keep my home.

2 Q- Do you know the parties to this suit, Carrie Bell Moody and Charles Ogle Moody?

A- I do.

3 Q- How long have you known them?

A- I have known Carrie practically all her life and I have known him since shortly after they got married.

BY MR. MARSHALL:

4 Q- Were you present at the wedding?

A- No, I was not.

5 Q- Did you see them after the wedding?

A- Oh, time and again.

6 Q- Did they live together as man and wife and hold themselves out as such and did people in the community consider them as man and wife?

A- Yes.

Olivia B. Payne.

7 Q- You live in the community where they lived?

A- I am living where I am now forty-five years.

8 Q- Mrs. Payne, during the time you have known the plaintiff, Mrs. Moody, has she been a resident of the City of Baltimore, State of Maryland all of that time?

A- All her life.

9 Q- Were any children born as a result of her marriage?

A- Two.

10 Q- Are they living or dead?

A- Both dead.

11 Q- During the time you knew them to live together as husband and wife what was Mrs. Moody's conduct as to whether or not she was a good wife?

A- I really think she was a good woman.

12 Q- Was she a good wife to Mr. Moody?

A- Yes, I firmly believe it, and I have been in her house repeatedly.

13 Q- Are they living together now?

A- No.

14 Q- Which one left the other?

A- He left Carrie.

15 Q- Did he say whether or not he was coming back or not?

A- I didn't hear him say so.

Olivia B. Payne.

16 Q- Did she give him any just cause or reason to leave?

A- I couldn't say she did.

17 Q- As far as you know did she?

A- No, she did not.

18 Q- Have you heard from him since or about him?

A- No. I have seen him once passing my house when I was cleaning, that has been before my husband died, that was eleven years ago but he didn't say anything to me or I to him.

19 Q- Do you know about when they separated?

A- In 1921, if I am not mistaken.

20 Q- Do you think there is any hope of a reconciliation between these two parties?

A- No, I don't.

21 Q- Do you know whether or not he is a resident of the State of Maryland?

A- He is not, I am sure. He was in Atlantic City, New Jersey, the last I heard.

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:

Yes.
Olivia B Payne

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.....12th.....day of April.....in the year of our Lord nineteen hundred and thirty five....., at the City of Baltimore, in the State of Maryland.

George Arnold Frick (SEAL)

Examiner.

There are no..... Exhibits with these depositions, to wit:

Plaintiff's Exhibit.....

Defendant's Exhibit.....

George Arnold Frick

Examiner.

I, GEORGE ARNOLD FRICK, 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.

453

Circuit Court

B453

1934

Docket No.

CARRIE BELL MOODY

VS.

CHARLES OGLE MOODY

Decree Pro Confesso

B No. 39306
(4)

Filed 9th day of Oct, 1934

[DECREE PRO CONFESSO]

CARRIE BELL MOODY

vs.

CHARLES OGLE MOODY

IN THE
CIRCUIT COURT
OF
BALTIMORE CITY

September

Term, 193 4

The Defendant CHARLES OGLE MOODY 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 9th day of October in the year nineteen hundred and thirty-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 CHARLES OGLE MOODY

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.

Amos H. Adams

B 453

1934

Circuit Court

B 453

1934

Docket No. _____

Carrie B Moody.

vs.

Charles O. Moody.

Order of Reference and Report

Lataue.

B No. 39306 (6).

Order Filed 24 day of April 1935.

Report Filed 26 day of April 1935.

This case being submitted, without argument, it is ordered by the Court, this

1935 that the same be and it is hereby referred

Judge and Master, to report

Report

Carrie Bell Moody

vs.

Charles Ogile Moody

IN THE
Circuit Court
OF
BALTIMORE CITY

March Term, 1935
24th

This case being submitted, without argument, it is ordered by the Court, this day of April, 1935, that the same be and it is hereby referred to James A. Latane, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Joseph Newman

Report of Auditor and Master

Bill for divorce a vinculo matrimonii, filed by the wife against her husband on the ground of abandonment. Code Art. 16, Sec. 37-42.

Defendant proceeded against as a non-resident and his non-residence proven.

Plaintiff's residence in Baltimore City for more than two years proven.

The marriage proven.

The abandonment for three years, its finality and the irreconcilability of the parties proven.

A decree pro confesso was passed against the defendant and more than thirty days have since elapsed. Case ready for decree.

Jas. A. Latane
Auditor and Master.

April 24, 1935

3-13-7214



CIRCUIT COURT

B 453
1934

No. Docket

CARRIE BELL MOODY

VS.

CHARLES OGLE MOODY

**Decree of Divorce
Recorded**

Folio 151 1935

B No. 39306
(7)

FD 27 April 1935

DECREE OF DIVORCE.

CARRIE BELL MOODY

vs.

CHARLES OGLE MOODY

IN THE
CIRCUIT COURT

—OF—

BALTIMORE CITY

March TERM, 193*5*

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

It is Thereupon, This *27th* day of *April*, A. D. 193*5*,
by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

CARRIE BELL MOODY

the above named Complainant, be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, CHARLES OGLE MOODY

And it is further ordered that the name of the complainant, Carrie Bell Moody be and it is hereby changed to Carrie Bell.

And it is Further Ordered, That the said *Carrie Bell Moody*
pay the cost of this proceeding.

J. Frank Suffer Jr.
Judge

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

Jas. a. Latane'

Auditor and Master

CIRCUIT COURT