

IN THE CIRCUIT COURT OF

BALTIMORE CITY.

163
B 1926

THOMAS J. BRANCH

VS.

ROSETTA D. BRANCH

BILL FOR DIVORCE.

Mr. Clerk:-

Please file.

B 30579
(1) (2)

Davis & Evans

ATTORNEYS FOR PLAINTIFF.

DAVIS & EVANS,

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

fd 9 April 1926

BAUMGARTEN & CO., INC.

THOMAS J. BRANCH : IN THE CIRCUIT COURT
VS. : OF
ROSETTA D. BRANCH : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:

1. That he was married to his wife, Rosetta D. Branch on the 15th day of June, 1915 and with whom he resided until the 2nd day of January, 1919 when the defendant deserted the plaintiff.
2. That though the conduct of your Orator toward the said Rosetta D. Branch, 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 said defendant since said desertion.
4. That there are no children born as issue of said marriage.
5. That your Orator is a citizen of the State of Maryland, having resided in Baltimore City for more than three years prior to the filing of this Bill, but that the defendant is a non-resident of the State of Maryland.

TO THE END, THEREFORE:

- (a) That your Orator may be divorced A Vinculo Matrimonii from the said Rosetta D. Branch.
- (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 Order of Publication directed against the said Rosetta D.Branch, a non-resident of the State of Maryland, commanding and requiring her to be and appear in this Court on come day certain to be named therein to answer the premises and abide by and perform such decrees or order as may be passed therein.

AND as in duty bound, etc.

Davis T Evans

ATTORNEYS FOR PLAINTIFF.

DAVIS & EVANS, SOLICITORS
215 ST. PAUL PLACE
IN THE CIRCUIT COURT OF BALTIMORE CITY
THOMAS J. BRANCH VS. ROSETTA D. BRANCH
ORDER OF PUBLICATION

The object of this Bill is to procure a divorce A Vinculo Matrimonii by the Plaintiff, Thomas J. Branch from the defendant, Rosetta D. Branch.

The bill recites that the parties were married on the 15th day of June 1915 and lived together until the 2nd day of January, 1919 when the defendant deserted the plaintiff. That though the conduct of your Orator toward the said plaintiff 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 uninterrruptedly for more than three years and is deliberate and final and the separation of the parties is beyond any reasonable expectation of reconciliation. That your Orator has not lived or co-habited with said defendant since said desertion. That there are no children born as issue of said marriage. That your Orator is a citizen of the State of Maryland but that the defendant is a non-resident of the State of Maryland.

It is thereupon ordered by the Circuit Court of Baltimore City this 9 day of *April* 1926 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 10 day of *May* 1926, give notice to the absent defendant of the object and substance of this Bill, warning her to be and appear in this Court in person or by Solicitor on or before the 27 day of *May* 1926 to show cause, if any she may have, why a decree should not be passed as prayed.

James P. Gorter

192....

Docket No. 163
1926

Thomas J Branch

vs.

Rosetta D. Branch

Certificate of Publication

B 30579
(3)

THE DAILY RECORD
Filed 16 day of July 1927

THE DAILY RECORD

MAY 1 - 1926

Baltimore,, 192.....

Davis & Evans, Solicitors,
215 St. Paul Place.
IN THE CIRCUIT COURT OF BALTI-
MORE CITY—(B—163—1926) — Thomas
J. Branch vs. Rosetta D. Branch.

ORDER OF PUBLICATION.
The object of this bill is to procure a
divorce a vinculo matrimonii by the plain-
tiff, Thomas J. Branch, from the defend-
ant, Rosetta D. Branch.

The bill recites that the parties were
married on the 15th day of June, 1915,
and lived together until the 2nd day of
January, 1919, when the defendant de-
serted the plaintiff. That though the con-
duct of your orator toward the said plain-
tiff 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 aban-
donment has continued uninterruptedly
for more than three years and is delib-
erate and final and the separation of the
parties is beyond any reasonable expecta-
tion of reconciliation. That your orator
has not lived or cohabited with said de-
fendant since said desertion. That there
are no children born as issue of said mar-
riage. That your orator is a citizen of
the State of Maryland, but that the de-
fendant is a non-resident of the State of
Maryland.

It is thereupon ordered by the Circuit
Court of Baltimore City this 9th day of
April, 1926, 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 10th day of May, 1926,
give notice to the absent defendant of the
object and substance of this bill, warn-
ing her to be and appear in this Court in
person or by solicitor, on or before the
27th day of May, 1926, to show cause, if
any she may have, why a decree should
not be passed as prayed.

JAMES P. GORTER.

True Copy—Test:

CHAS. R. WHITEFORD,
Clerk.

ap10,17,24my1

We hereby certify that the annexed advertise-

ment of Order.....*Publication*.....Circuit Court

of Baltimore City, Case of.....

Thomas J. Branch
vs. *Rosetta D. Branch*

was published in THE DAILY RECORD, a daily news-
paper published in the City of Baltimore, once in each of

four successive weeks before the
10th day of *May*, 1926

First insertion.....*Apr. 10th*.....1926

THE DAILY RECORD

Per

Chapel

163
1926 Docket Ct. Ct. B66

Thomas J. Branch
vs.

Rosetta D. Branch

Decree Pro Confesso.

"Trick"
B 30579
No. (4)

Filed 18 July 1927

Thomas J. Branch
vs.

Rosetta D. Branch

IN THE
Circuit Court
OF
BALTIMORE CITY.

July

Term, 1927

The Defendant 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 18th day of July in the year nineteen hundred and twenty seven 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 said defendant. 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.

H. Arthur Stump

STATE OF MARYLAND,
BALTIMORE CITY, SCT :

I hereby certify that on this _____ day of _____ 19____ before me, the subscriber, a Notary Public, of the State of Maryland, in and for the City aforesaid, personally appeared _____ and made oath in due form of law that her (his) husband (wife) the defendant in the above entitled case is not in the Military or Naval service of the United States Government, to the best of her (his) knowledge, information and belief.

As Witness my hand and Notarial Seal.

Notary Public.

Order of Put

163
1926

Ct. Ct.

Docket

B66

Thomas J Branch

vs.

Rosetta D Branch

Decree Pro Confesso.

Miss Certificate of Appeal

Supp.

B 30599

No.

Thomas J Branch

vs.

Rosetta D. Branch

IN THE
Circuit Court

OF
BALTIMORE CITY.

May Term, 1926

The Defendant 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 day of in the year nineteen hundred and twenty 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. 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.

C. J. Branch

3/23/21/90

DOCKET B. 163/1926

IN THE CIRCUIT COURT

Thomas J. Branch

vs.

Rosetta D. Branch

DEPOSITIONS

B No. 30579

PLAINTIFF'S COSTS

Examiner \$
Copies
Notices
Sheriff
Stenographer
\$

DEFENDANT'S COSTS

Examiner \$
Copies
Notices
Sheriff
Stenographer
\$

GEORGE ARNOLD FRICK, Examiner

Filed 14 day of Nov 1927

.....
Thomas J. Branch
.....
, vs.
.....
Rosetta D. Branch
.....
.....



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
.....18th..... day of July....., 19²⁷, met on
the.....18th..... day of July..... in the year nineteen
hundred and twenty-seven....., at my office, in the City of Baltimore, in the
State of Maryland, and assigned the.....18th..... day of July
in the same year at.....two..... o'clock in the.....after..... 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:

Testimony taken at the office of George
Arnold Frick, Examiner, on Monday July 18, 1927
at 2 P.M.

Present: George W. Evans - Counsel for Plaintiff.

Thereupon:

THOMAS J. BRANCH, the Plaintiff,
produced as a witness on his own behalf, being
first duly sworn, deposes and saith as follows -
that is to say -

BY THE EXAMINER: -

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

A- Thomas J. Branch, 1716 Division Street,
chauffeur.

2 Q- Are you the Plaintiff in this case?

A- Yes sir.

3 Q- How long have you known the Defendant, your
wife?

A- Since 1910 or 1909 - between seventeen
and eighteen years.

BY MR. EVANS: -

4 Q- Mr. Branch, you filed a bill against your
wife here for a divorce charging her with desertion.

Thomas J. Branch.

A- Yes sir.

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

A- I was married June 15, 1915, by a Preacher of the Gospel - a Baptist minister - in Washington, D.C.

6 Q- Who left the other? Did you leave Mrs. Branch or did she leave you?

A- She left me.

7 Q- When?

A- January 2, 1919.

8 Q- Where?

A- In Washington, D.C.

9 Q- Did you give her any cause to leave?

A- No sir.

10 Q- How did you always treat Mrs. Branch?

A- Just the same as any other man treats his wife. I was kind to her and always worked.

11 Q- Faithful?

A- Yes sir.

12 Q- Did you support her?

A- Yes sir.

13 Q- Do you know where Mrs. Branch is now?

A- Not at present.

14 Q- Have you lived or cohabited with her since she left you in January 1919?

A- No sir.

Thomas J. Branch.

15 Q- Any children born as a result of this marriage?

A- No.

16 Q- Did you give your wife any reason for leaving you?

A- No, none at all, no.

17 Q- Were you home when she left?

A- No, I was not.

18 Q- Packed up and left while you were out?

A- Yes sir - moved away.

19 Q- Take anything away from the house?

A- Didn't take anything but her own stuff.

20 Q- Seen or talked to you since then?

A- No sir.

21 Q- Do you think there is any reasonable expectation of living with Mrs. Branch again?

A- No sir, I wouldn't want her back if I could.

22 Q- Are you a resident of Baltimore City, Maryland?

A- Yes sir.

23 Q- Have you been for more than three years prior to the filing of this suit?

A- Yes sir.

24 Q- How long have you been living here?

A- I have been here about three and a half years.

25 Q- Was that desertion her deliberate and final act?

A- Yes sir.

26 Q- Is your wife a resident or a non-resident of

Thomas J. Branch.

the State of Maryland at present, and was she a resident or a non-resident when you filed this Bill?

A- She is, and she was a non-resident at that time.

27 Q- Where did you last hear from her?

A- In Washington, D.C.

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:

Thomas J. Beach,

LEWIS A. JACKSON, produced as a witness on the behalf of the Plaintiff, being first duly sworn, deposeth and saith as follows - that is to say -

BY THE EXAMINER: -

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

A- Lewis A. Jackson, 1013 Whitlock Street, clerk - Government service - Washington, D.C.

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

A- Yes sir. I know one of them very well, - that is, the Plaintiff, and I am slightly acquainted with his wife.

3 Q- How long have you known him?

A- Since 1916.

4 Q- And how long have you known his wife?

A- Since 1918.

BY MR. EVANS: -

5 Q- Have you ever visited Mr. and Mrs. Branch at their home in Washington, D.C. when they lived together?

A- I have.

6 Q- Were they always known in the community as man and wife?

A- Yes sir.

Lewis A. Jackson.

7 Q- Did they live together as man and wife?

A- Yes sir.

8 Q- And were they living together when you met them in 1918?

A- Yes sir, they were living together when I met them in 1918.

9 Q- How did Mr. Branch treat her at the time you were - -

A- When I was present, Mr. Branch treated her as nice as any man could. He treated her kind and affectionate and appeared to be a good provider.

10 Q- Did you ever hear her make any complaint while you were there?

A- No, I never heard any.

11 Q- Mr. Branch has charged his wife with deserting him in 1919. Were you present at that time?

A- No, I was not present at that time.

12 Q- Do you know anything about it?

A- I know that it happened.

13 Q- Where did it happen?

A- At 1813 F Street, Washington, D.C.

14 Q- Was that where Mr. Branch was maintaining his home at that time?

A- Yes, that is where Mr. Branch was maintaining his wife at that time.

Lewis A. Jackson.

15 Q- What part of the year was this?

A- In winter - about January - 1919.

16 Q- How long was it after it happened that you knew about it or heard about it?

A- I heard about it almost immediately after it happened.

17 Q- Did you visit the home after that?

A- I made two visits soon after that.

18 Q- Was Mrs. Branch around there at that time?

A- Mrs. Branch was not there.

19 Q- Did you see any of her clothes or trunks or anything there?

A- No, none of her possessions.

20 Q- Has Mr. Branch lived or cohabited with Mrs. Branch since 1919?

A- Not to my knowledge.

21 Q- Was there any children born as a result of this marriage?

A- No sir.

22 Q- Is Mrs. Branch a citizen of the State of Maryland?

A- I don't know.

23 Q- Where was she when you last heard of her?

A- In Washington, D.C.

24 Q- Was she a citizen of the State of Maryland

Lewis A. Jackson.

the last time you heard of her?

A- As far as I know, she was at that time a citizen of Washington, D.C.

25 Q- Is Mr. Branch a citizen of the City of Baltimore, State of Maryland?

A- He is.

26 Q- And has he been here for more than three years before the filing of this suit? This suit was filed April 1926?

A- To my knowledge, he has.

27 Q- Do you think there is any reasonable expectation of them living together again as man and wife?

A- I think there is any expectation of them ever living together again.

28 Q- Was her desertion her deliberate and final act?

A- It was.

29 Q- Did she have any just cause or reason to leave him?

A- No, She had no cause to leave him.

30 Q- Has the abandonment and desertion by Mrs. Branch of her husband continued uninterruptedly since January 1919?

A- Yes.


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:

W. Lewis Jackson

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.....14th.....day of November..... in the year of our Lord nineteen hundred twenty-seven..... at the City of Baltimore, in the State of Maryland.

George Arnold Frick
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.

Circuit Court

163
19 26

Docket No. B66

Thomas J. Branch

vs.

Rosetta S. Branch

Order of Reference
and Report

Spous

B No. 30579
(6)

Order Filed 14 day of Nov 1927
Report Filed 8 day of Dec 1927

Thomas J Branch

vs.

Rosetta D. Branch

IN THE

Circuit Court

OF

BALTIMORE CITY

November Term, 1927

This case being submitted, without argument, it is ordered by the Court, this.....¹⁴

day of November, 1927, that the same be and it is hereby referred to
Wm P Lyons, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

H. Arthur Plumptre

Report of Auditor and Master

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

Defendant proceeded against as a non resident and her non residence
proved.

Plaintiff's residence in Baltimore City for more than two years
prior to the filing of the bill proved.

The marriage proved.

Abandonment uninterruptedly for three years, its finality and the
irreconcilability of the parties proved.

Decree pro confesso was passed against the defendant and more than
thirty days have since elapsed.

Case ready for decree.

William P. Lyons
Auditor and Master.

Nov. 25, 1927.

1
CIRCUIT COURT

B -163-
1926 No. Docket

THOMAS J. BRANCH

VS.

ROSETTA D. BRANCH

Recorded

Folio 9 1928

Decree of Divorce

B No. 30579

Fd 9 Jan 1928

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

William P. Long
Auditor and Master.

