

IN THE CIRCUIT COURT OF

BALTIMORE CITY

B 196
1928
ELSIE BRADY

VS.

JOSEPH BRADY

1403 Urbaner Alley
332

BILL FOR DIVORCE.

Mr. Clerk:

Please file.

Davis & Evans

ATTORNEYS FOR PLAINTIFF

DAVIS & EVANS
ATTORNEYS AT LAW

FD 31 May 1928

ELSIE BRADY

:

IN THE CIRCUIT COURT

VS.

:

OF

JOSEPH BRADY

:

BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:

(1) That she was married to her husband, Joseph Brady, on the 14th day of June, 1922 and with whom she resided until on or about the *14th* day of *May* 1925 when the defendant deserted the plaintiff.

(2) That though the conduct of your Oratrix toward the said Joseph Brady, has always been kind, affectionate and above reproach, he has, without any just cause or reason, abandoned and deserted her and has declared his intention to live with her no longer, and said abandonment has continued uninterruptedly for more than three years and is deliberate and final and the separation of the parties is beyond any reasonable hope of reconciliation.

(3) That your Oratrix has not lived or co-habited with the said defendant since said desertion.

(4) That there are no children born as result of said marriage.

(5) That both your Oratrix 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 of Complaint.

TO THE END, THEREFORE, YOUR ORATRIX PRAYS:

- (a) That she may be divorced A Vinculo Matrimonii from the said Joseph Brady.
- (b) 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 Joseph Brady, commanding and requiring him 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.

* Mrs. Elsie Brady. Davis & Evans
ATTORNEYS FOR PLAINTIFF

P. 713

Ct. Ct.

B-196
1928 Docket No.

Elsie Brady

vs.

Joseph Brady

1401 Mulvaney Alley

SUBPOENA TO ANSWER BILL OF COMPLAINT

No. B-32968
(2)

Filed 4 June, 1928

Davis & Evans

SOLICITOR

10

*Summoned and a copy of the Process left
with the defendant*

*Bichy
5/31/28*

Dec 10.95

*John. C. Potts
Sheriff*

EQUITY SUBPOENA

The State of Maryland

On Joseph Brady,

1403 Wilmer Alley

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

Elsie Brady

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 14th day of May 1928

Issued the 31st day of May, in the year 1928.

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.

196
1928

PS

Ct. Ct.

Docket

Elsie Brady

vs.

Joseph Brady

Decree Pro Confesso.

Sapp

B32968
(3)

No.

Filed *28 June* 1928

Elise Brady

vs.

Joseph Brady

IN THE
Circuit Court
OF
BALTIMORE CITY.

.....*Term, 192*

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 *28th* day of *June* in the year nineteen hundred and twenty *eight* 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.

*AS
Hud*

Albert J. Jones

Doc. B

196
1928

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Elsie Brady

vs.

Joseph Brady

No. 32968B
147

PLAINTIFF'S COSTS

Examiners \$

Copies

Sheriff

Stenographer

\$ _____
=====

DEFENDANT'S COSTS

Examiners \$

Copies

Sheriff

Stenographer

\$ _____

Ad 27 Sept 1928

Elsie Brady

vs.

Joseph Brady

In the Circuit Court

OF BALTIMORE CITY.

A Decree Pro Confesso having been passed in the above

cause,

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

28th day of June 1928, met on the 2nd day of July in the year nineteen

hundred and twenty-eight at my office, in the city of Baltimore, in the State of Maryland, and assigned the 3rd day of July

in the same year at 1:00 o'clock in the afternoon and the office of A. de R. Sappington in the City and State

aforsaid, 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:—

ELSIE BRADY

VS.

JOSEPH BRADY.

Testimony taken before me, A. deRussy Sappington, Examiner, at my offices in the Title Building, Baltimore, Md. On July 3, 1928, at 1.00 o'clock in the afternoon.

Mr. J.S. Davis appeared for the Plaintiff.

Thereupon---

ELSIE BRADY,

the plaintiff, of lawful age, produced on her own behalf, having been first duly sworn according to law, was examined and testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A Elsie Brady, 1436 Pennsylvania Avenue; housework

Q Do you know the parties to this suit?

A Yes; I am the plaintiff and the defendant is my husband.

By Mr. Davis:

Q When, where and by whom were you married?

A On June 14, 1922, in Baltimore, Maryland, by a Minister of the Gospel.

Q How long have you been a resident of the City of Baltimore, State of Maryland?

A All my life.

Q Since your marriage have you always been a kind, affectionate and chaste wife?

A Yes, sir.

Q Were any children born as result of your marriage?

A No, sir.

Q Are you living with your husband now?

A No, sir. He forced me to leave him on May 14, 1925.

Q Why did he force you to leave him?

A Because he was very cruel to me, and refused to give me any money or support me. He only gave me six dollars in three years, and on May 14, 1925, he beat me and threatened my life and told me to get out, and I was afraid of him and I left.

Q Has he ever made any attempt to effect a reconciliation since he forced you out of the house?

A No, sir, none at all.

Q Have you lived or cohabited with your husband since May 14, 1925?

A No, sir.

Q Did you give your husband any just cause to

beat you or fail to support you or order you from the house?

A No, sir, none at all.

Q Has this separation continued uninterruptedly for more than three years prior to the filing of this bill?

A Yes, sir.

Q Is the separation deliberate and final and without any hope of reconciliation?

A Yes, sir, it is.

Q If you are granted a decree, do you wish to resume your maiden name of Elsie Walters?

A Yes, sir, I do.

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. ~~270~~

Mrs. Elsie Brady

Thereupon---

MARY WALTERS,

a witness of lawful age, produced on behalf of the plaintiff, having been first duly sworn according to law, was examined and testified as follows:

By the Examiner:

Q State your name, residence and occupation?

A Mary Walters, 1436 Pennsylvania Avenue, cook.

Q Do you know the parties to this suit?

A Yes; the plaintiff is my daughter and the defendant is my son in law.

By Mr. Davis:

Q Were they married and did they live together at one time as husband and wife?

A Yes, sir. They were married in my house.

Q Were they known and regarded by all their friends, relatives and acquaintances as husband and wife?

A Yes, sir.

Q Since the marriage has the plaintiff, your daughters, always been a kind, affectionate and chaste wife?

A She certainly has.

Q Did she give her husband any just cause to abandon her?

A No, sir.

Q When did the separation take place?

A On May 14, 1925.

Q Have the parties ever lived or cohabited together since May 14, 1925?

A No, sir.

Q What caused the separation?

A Her husband wouldn't support her, and this time he beat her and ordered her out, and she couldn't stand it any longer and left. She was without funds at the time too, and she had to work all the time. He wouldn't do anything for her.

Q After her forced her out of the house, did he, to your knowledge, make any attempt to effect a reconciliation?

A No, sir, to my knowledge he never has.

Q Has this separation continued uninterruptedly for more than three years prior to the filing of this bill?

A Yes, sir.

Q Did the plaintiff give her husband any just cause to beat her and fail to support her and finally order her from the house?

A No, sir. She was very good to him.

Q Is the separation deliberate and final?

A Yes, sir.

Q Is there any hope of reconciliation?

A No, sir.

Q Have both parties to this suit been residents of the City of Baltimore, State of Maryland for more than two years prior to the filing of this bill?

A Yes, sir.

Q Were any children born as result of their marriage?

A No, sir, no children.

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. --- *Mc*

Mary Walters

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.....27th..... day of.....September..... in the year of Our Lord nineteen hundred and.....twenty eight..... at the City of Baltimore, in the State of Maryland.

A. de Russey Sappington (SEAL).
Examiner.

There are..... Exhibits with these depositions, to wit:
Plaintiff's..... Exhibit.....

Defendant's..... Exhibit

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.

Circuit Court

B196
1928

Docket No. _____

Elsie Brady

vs.

Joseph Brady

Order of Reference
and Report

Cos

B No. 32968
57

Order Filed 27 day of Sept 1928

Report Filed 15 day of Oct 1928

Elsie Brady

vs.

Joseph Brady

IN THE

Circuit Court

OF

BALTIMORE CITY

September Term, 1928
27th

This case being submitted, without argument, it is ordered by the Court, this
day of September, 1928, that the same be and it is hereby referred to
Ward B. Cox, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

Eugene A. Murray

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, secs.
37-42.

Defendant summoned.

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

The marriage proven.

The abandonment for three years, its finality and the ir-
reconcilability 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.

Ward B. Cox

Auditor and Master

October 8th, 1928

CIRCUIT COURT

B 196
1928 No. 66 Docket

ELSIE BRADY

VS.

JOSEPH BRADY

Recorded

Folio 261 1928

Decree of Divorce

B No. 32968
(6)

7d 19 October 1928

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

Ward B. Cox

Auditor and Master.

Circuit Court

BALTIMORE CITY

IN THE

Circuit Court

OF

BALTIMORE CITY

ELSIE BRADY

VS.

JOSEPH BRADY

Term, 1928

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

It is thereupon, this 19 day of Oct, A. D. 1928

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

the above named Complainant be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, the said Joseph Brady.

AND IT IS FURTHER ORDERED that said complainant be and she is hereby authorized to resume her maiden name:- Elsie Walters.

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

Handwritten signature of the court official.