

8/1/23

215
142
352/15

IN THE COURT OF COMMON
PLEAS
OF
BALTIMORE CITY.

CHARLES BROTTON

VS.

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D.C.
INCORPORATED.

215 N. Liberty St

DECLARATION.

Mr. Clerk:-

Please file.

David D. Burns
ATTORNEYS FOR PLAINTIFF.

~~DAVIS & EVANS,~~
DAVIS & EVANS,

ATTORNEY AT LAW
215 SAINT PAUL PLACE

BALTIMORE, MD.

JUL 27 1925 FILED

CHARLES BROTTON

:

IN THE COURT OF COMMON PLEAS

VS.

:

OF

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D.C. :
INCORPORATED.

BALTIMORE CITY.

Charles Brotton, plaintiff by his attorneys Davis and Evans, sues the Peoples' Life Insurance Company of Washington, D.C., incorporated, defendant.

1. For that the defendant is a corporation duly incorporated in the District of Columbia with authority to utter insurance upon lives in the State of Maryland; that in consideration of the payment by one Bessie Smith, deceased, of a premium of about eight cents and a like sum to be paid to the said Peoples' Life Insurance Company of Washington, D.C., Incorporated, by the said Bessie Smith, deceased, weekly during her life, the defendant made its policy of insurance No. I6I8783 in writing agreeing to pay the beneficiary therein named the amount named as benefits payable on sufficient proof of death.

2. That on or about the 29th day of May, 1925, Bessie Smith died. That her death was not caused by any of the causes exempted in said policy and that the said Bessie Smith fulfilled all the conditions of said insurance on her part.

3. That the plaintiff, Charles Brotton, was beneficiary under said policy. That the plaintiff has made due proof of the death of said Bessie Smith and his own right as beneficiary under said policy in accordance with the requirements of said policy. That the defendant refused and continues to refuse to pay the amount of the claim though often requested to do so.

WHEREFORE the plaintiff claims \$250.00 damages.

Davis & Evans
ATTORNEYS FOR PLAINTIFF.

The plaintiff elects to have this case tried before a jury and prays leave of Court to do so.

Davis T Evans

ATTORNEYS FOR PLAINTIFF.

TO THE DEFENDANT:

TAKE NOTICE: That on the day of your appearance to this action in The Court of Common Pleas of Baltimore City, a rule will be entered requiring you to plead to the above declaration within thirty days.

Davis T Evans

ATTORNEYS FOR PLAINTIFF.

P. 5-79 352
25

No. 142

To August R. D. 1925
Charles Brotton

vs.

Peoples Life Ins. Co.
of Wash. D. C.
Incorporated

WRIT OF SUMMONS

Action, copy of Nar, and notice to plead
to be served on Defendant.

Davis and Evans
Attorney.

Filed 10th day of Aug 1925

3-9

Summoned The Peoples Life Insurance Company
a corporation of Washington D.C by service on
Wilson L. Coulton Deputy State Insurance
Commissioner and a copy of my and notice to plead
with copies of the Process in duplicate, left with
said Deputy State Insurance Commissioner, left with
Euch 7/28/25
Commissioner
John B. Polax
Sheriff

Filed 142

[WRIT OF SUMMONS]

STATE OF MARYLAND

BALTIMORE CITY, *to wit:*

To the Sheriff of Baltimore City, Greeting:

You are hereby commanded to summon

*Peoples' Life Insurance
Company of Washington D. C.
Insured*

of Baltimore City, to appear before the Court of Common Pleas, to be held at the Court House in the same City, on the second Monday of *August* next, to answer an action at the suit of

Charles Brotton

and have you then and there this writ:

WITNESS, the Honorable JAMES P. GORTER, Chief Judge of the Supreme Bench of Baltimore City,

the *27th* day of *May* 19*25*

ISSUED *27th* day of *July* 19*25*

JUL 28 1925

James Claypole Clerk.

STATE INSURANCE,
DEPT. OF MD.



352/15

IN THE
COURT OF COMMON PLEAS
OF
BALTIMORE CITY

CHARLES BROTTON,
Plaintiff,

VS.

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D. C.
Defendant.

DEMURRER
AND ORDER OF COURT

Mr. Clerk:

Please file, etc.

W. Herdman Schwatka
Attorney for the Defendant

DUNCAN, SCHWATKA & FLYNN
ATTORNEYS AT LAW
SUITE 1003-4 FIDELITY BUILDING
BALTIMORE, MD.

FILED SEP 11 1925 FILED

The Daily Record Co. Print, Baltimore, Md.

Service of copy of the within demurrer and order of court admitted
this day of September, 1925.

Plaintiff's Attorney

I. Herby Certify that on the 11th September 1925 Personally appeared before me *James Y. Claypoole*
Herdman Schwatka and made affidavit that he left a copy at the
office of Davis & Evans, ^{Plt's Atty.} there being no one who would admit service
of the within demurrer

James Y. Claypoole
Clerk Court of Common Pleas.

CHARLES BROTON,
Plaintiff,

VS.

PEOPLES' LIFE INSURANCE COMPANY
OF
WASHINGTON, D. C.
Defendant,

IN THE

COURT OF COMMON PLEAS

OF

BALTIMORE CITY

* * * * *

PEOPLES' LIFE INSURANCE COMPANY OF WASHINGTON, D. C., THE DEFENDANT IN THE ABOVE ENTITLED CASE, BY W. HERDMAN SCHWATKA ITS ATTORNEY, DEMURS TO THE PLAINTIFF'S DECLARATION HERETOFORE FILED AGAINST THE ABOVE DEFENDANT IN THIS CASE AND, FOR CAUSE OF DEMURRER, SAYS:

1. That the said declaration is bad in substance and insufficient in law.

And as in duty bound, etc.

W. Herdman Schwatka
Attorney for the Defendant

ORDERED by the Court of Common Pleas of Baltimore City this *11th* day of September, 1925, that the time within which the Peoples' Life Insurance Company of Washington, D. C., the above defendant, may file pleas to the *... ..* Declaration in the above case, including the plea of limitations, be and it is hereby extended until fifteen days after the demurrer of said Defendant as to said *... ..* Declaration shall have been dismissed, overruled or withdrawn.

Robert F. Stanton

IN THE COURT OF COMMON
PLEAS OF *357/25*
BALTIMORE CITY.

CHARLES BROTTON

VS.

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D.C.
INCORPORATED.

Amended
DECLARATION.

Mr. Clerk:-
Please file.

Davis & Steward
ATTORNEYS FOR PLAINTIFF
*Amended by court order of 1/11/26
& other days of the same month, 1926
in the case of Charles Broton vs
Peoples' Life Insurance Company*

J. STEWARD DAVIS
ATTORNEY AT LAW
215 SAINT PAUL PLACE
BALTIMORE, MD

FEB 20 1926 FILED

CHARLES BROTTON

:

IN THE COURT OF COMMON PLEAS

VS .

:

OF

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D.C.
INCORPORATED.

:

BALTIMORE CITY.

Charles Brotton, plaintiff by his attorneys, Davis and Evans, sues the Peoples' Life Insurance Company of Washington, D.C., Incorporated, defendant.

I. For that the defendant is a corporation duly incorporated in the District of Columbia with authority to utter insurance upon lives in the State of Maryland; that on the 18th day of May, 1925 in consideration of the payment by one Bessie Smith, deceased of a premium of about eight cents and a like sum to be paid to the said Peoples' Life Insurance Company of Washington, D.C., Incorporated, by the said Bessie Smith weekly during her life, the defendant made its policy of insurance, No. 1618783, agreeing upon satisfactory proof of death of the insured, to pay at once the amount named in schedule, subject to said conditions and provisions, as death benefits to the person or persons named therein as beneficiary or to the legal representative of the insured, or to any person or persons having incurred expenses for the burial of the insured, and thereby insuring the life of Bessie Smith in the sum of one hundred and twenty-five (\$125) dollars.

2. That on or about the 29th day of May, 1925 the said Bessie Smith died and her death was not caused by any of the causes exempted in said policy; and that the said Bessie Smith duly fulfilled all the conditions of said insurance on her part.

That the plaintiff, Charles Brotton, was beneficiary under said policy. That the plaintiff has made due proof of the death of said Bessie Smith and his own right as beneficiary under said policy in accordance with the requirements of said policy. That the defendant refused and continues to refuse to pay the amount of the claim, though often requested to do so.

WHEREFORE the plaintiff claims \$250.00 damages.

Davis Evans

ATTORNEYS FOR PLAINTIFF.

10

CHARLES BROTTON

:

IN THE COURT OF COMMON PLEAS

VS.

:

OF

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D.C.,
INCORPORATED

:

BALTIMORE CITY.

The plaintiff elects to have this case tried before
a Jury and prays leave of Court to do so.

Davis Evans
ATTORNEYS FOR PLAINTIFF.

TO THE DEFENDANT:

TAKE NOTICE: That on the day of your appearance to
this action in The Court of Common Pleas of Baltimore City, a
rule will be entered requiring you to plead to the above de-
claration within thirty days.

Davis Evans
ATTORNEYS FOR PLAINTIFF.

Service of copy of the within pleas admitted this
March, 1926.

4th

day of

Savin & Gault

Plaintiff's Attorneys.

IN THE COURT OF COMMON PLEAS
OF
BALTIMORE CITY

CHARLES BROTTON

VS

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON D.C.
INCORPORATED.

PLEAS

Mr. Clerk:

Please file etc.

W. Herdman Schwatka
Attorney for Defendant

W. HERDMAN SCHWATKA
ATTORNEY AT LAW
1428 FIDELITY BUILDING
BALTIMORE, MD.

FILED

MAR 4 1926 FILED

CHARLES BROTTON

VS

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON D. C.,
INCORPORATED.

*
*
*
*

IN THE COURT
OF
COMMON PLEAS
OF
BALTIMORE CITY

And the said Peoples' Life Insurance Company, of Washington D. C., Incorporated, the defendant in this action, by W. Herdman Schwatka, its attorney, for pleas to the plaintiff's amended declaration says:

For a first plea: that it never promised as alleged; and
For a second plea: that it never was indebted as alleged; and
For a third plea: that it did not promise as alleged except as
to forty cents-----,
a part of the plaintiff's said claim; and that as to said sum of
forty cents-----,
part of said claim, it tendered the same to the plaintiff before the
issuing of the summons in this case, and now brings the same into
Court to be paid to the plaintiff in full satisfaction of his said
demand.


Attorney for the Defendant

IN THE COURT OF COMMON
PLEAS OF BALTIMORE CITY.

353/25

CHARLES BROTTON

VS.

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON,
D.C., INCORPORATED.

"*Replicator*"

Mr. Clerk:-

Please file.

Davis Thomas

ATTORNEYS FOR PLAINTIFF.

*Source of copy of limited
copy of May 1926*

with for [unclear]

*File was submitted May 15,
of [unclear] 1926
att. as per*

BY
215 SAINT PAUL PLACE
ATTORNEY AT LAW

BALTIMORE, MD.

MAY 19 1926 FILED

BAUMGARTEN & CO., INC.

CHARLES BROTTON

:

IN THE COURT OF COMMON PLEAS

VS.

:

OF

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D.C.
INCORPORATED

:

BALTIMORE CITY.

And the said Charles Brotton, the plaintiff in this action, by Davis and Evans, his attorneys, for a replication to the defendant's pleas says:

I. That he joins issue on the first and second pleas of the defendant.

And for a replication to the defendant's third plea, says:

2. That the defendant promised for the full amount of plaintiff's claim and that the defendant did not tender the plaintiff any amount in satisfaction of his demand.

Davis & Evans
ATTORNEYS FOR PLAINTIFF.

1183
1184

Bratton

vs

People's Life Ins
Co

Page 71

IN THE COURT OF COMMON PLEAS

TO THE SHERIFF OF BALTIMORE CITY:

May Term 1926

SUMMON _____

To Testify for *Boston vs Peoples Telephone Co.*
returnable *Tuesday June 1, 1926 at 10 A.M.*

Issued _____

5729 1926

James W. Maybank
Clerk.

Cases 183-184

CHARLES BROTTON : IN THE COURT OF COMMON PLEAS

VS. : OF

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D.C.
INCORPORATED : BALTIMORE CITY.

Mr. Clerk:-

9 Please issue summons *sed* Duces Tecum for the Superintendent of the Peoples' Life Insurance Company of Washington, D.C. requiring him to be and appear in this Court on the 1st day of June, 1926 at 10 A.M. and bring with him the books and proofs of death and policies issued to Bessie Smith.

Davis & Evans
ATTORNEYS FOR PLAINTIFF.

Page 71

Booker T. Wash

m

W. Patton

1837
184

IN THE COURT OF COMMON PLEAS

TO THE SHERIFF OF BALTIMORE CITY:

May Term 1926

SUMMON

To Testify for *Bristow Otto Peoples Safe Box Co.*

returnable *Tuesday June 1, 1926 at 10 A. M.*

Issued

5/29 1926

James Y. Chapman Clerk.

Case 183-184

CHARLES BROTTON

:

IN THE COURT OF COMMON PLEAS

VS.

:

OF

PEOPLES' LIFE INSURANCE
COMPANY OF WASHINGTON, D.C.,
INCORPORATED

:

BALTIMORE CITY.

Mr. Clerk:-

10 Please issue summons for the following in the above
entitled case to appear before the Court Tuesday June 1, 1926
at 10 A.M.

pd

Charles Brotton,502 Nunsen St.,

Davis & Evans
ATTORNEYS FOR PLAINTIFF.

253/25 TA

IN THE COURT OF
COMMON PLEAS OF
BALTIMORE CITY.

JANUARY TERM 1927.
JURY TRIALS NO. 168.

* * * * *

CHARLES BROTON,
Plaintiff,

VS.

PEOPLE'S LIFE INSURANCE
COMPANY OF WASHINGTON,

Defendant.
* * * * *

ORDER OF AGREEMENT
& SETTLEMENT, ETC.
* * * * *

Mr. Clerk:

Please file, etc.

Davis Evans
Plaintiff's Attorneys

W. H. ...
Defendant's Attorney.

JAN 26 1927 FILED

CHARLES BROTTON
Plaintiff,
VS.

PEOPLE'S LIFE INSURANCE
COMPANY OF WASHINGTON, D.C.,
Defendant.

* IN THE COURT OF
* COMMON PLEAS OF
* BALTIMORE CITY.
* JANUARY TERM 1927.
* JURY TRIALS #167.

* * * * *

Mr. Clerk:

Please enter "agreed and settled" the above
entitled case and return to the Defendant or Defendant's
attorney the sum of Forty Cents (\$.40) heretofore de-
posited in Court.

Davis Evans
Attorneys for the Plaintiff.

W. Herman Schwatta
Attorney for the Defendant.