

IN THE CIRCUIT COURT

OF

BALTIMORE CITY

B 310
PAUL J. BUNDY
1922

VS.

ESTHER BUNDY

BILL FOR DIVORCE.

MR. CLERK:-

Please file.

B 23891

[Signature]
ATTORNEY FOR COMPLAINANT

DAVIS & BISHOP

ATTORNEYS AT LAW

BANNER BUILDING

14 E. BALTIMORE STREET

BALTIMORE, MD

[Signature] 922

PAUL J. BUNDY : IN THE CIRCUIT COURT
VS. : OF
ESTHER BUNDY : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Orator complaining respectfully represents:-

1. That he was married to his wife, Esther Bundy on the 1st day of October, 1917 and with whom he resided until about the 3rd day of April, 1919.
2. That though the conduct of your Orator toward the said Esther Bunday has always been kind, affectionate and above reproach, she has without just cause or reason abandoned and deserted him and has declared her intention 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 the said defendant since said desertion.
4. That there are no children as result of said marriage.
5. That both your Orator 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,

- a. That your Orator be divorced a Vinculo Matrimonii from the Defendant, Esther Bundy.
- 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 Writ of Subpoena, directed against the said Esther Bundy commanding her 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.



C. B. Mac

SOLICITOR FOR COMPLAINT.

Check
Wife of Tax
return

487-497

310 B62 Ct. Ct.
1922 Docket No.

Bundy
"

Bundy

730 W. ...

SUBPOENA TO ANSWER BILL OF COMPLAINT

B
No.

23891

(2) (3)

Filed 12 July 1922

J. S. Davis SOLICITOR

11 10 July 1922

6/14 1922

Return Day, 1922
E. W. R. Whiteford
Clerk

ISSUED TO

Now Est. Thomas F. M. C. Mully
(Ring) Sheriff

Now Est. Thomas F. M. C. Mully
(Ring) Sheriff

EQUITY SUBPOENA

The State of Maryland

To *Ether Bundy*
738 W. Saratoga
St

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

Paul J. Bundy

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 **8th** day of **May** 192**2**

Issued the **8** day of **June**, in the year 192**2**

Clark 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.

(General Equity Rules 11.)

Ct. Ct.

192

Docket No.

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

Filed..... 192

SOLICITOR

EQUITY SUBPOENA

The State of Maryland

To

Esther Bundy



REISSUED TO *July* ^{*6/14*} 192 ^{*2*}
Return Day, 192 ^{*2*}
Clark Whiteford
Clerk

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

Paul J Bundy

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 8th day of May 192 2
Issued the 8 day of June, in the year 192 2

Clark 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.

(General Equity Rules 11.)

In The ³¹⁰B 1922
Circuit Court of Baltimore
City.

³¹⁰
Paul J. Bundy ²²

Vs.

Esther Bundy.

"Answer to Bill,"
and former of attorney.

Mr. Clerk:-

Please file, etc.

Lewis S. Flagg, Jr.
Solicitor for Respondent.

B 23891
247

Lewis S. Flagg, Jr.,
14 E. Pleasant St.,
Baltimore, Md.

FILED

1 September 1923

Paul J. Bundy

Vs.

Esther Bundy.

*
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*
*
*
*
*

In The

Circuit Court of Baltimore City.

To The Honorable, The Judge of the said Court:

The respondent's answer to the bill of complaint filed in the above cause respectfully shows:-

(1).

That she admits the allegations and averments contained in paragraphs one, four and five of the Bill of Complaint.

(2).

That she denies the allegations of paragraphs two and three of the said Bill.

Wherefore, having answered all the material allegations of said bill, Your Respondent prays to be dismissed hence with her reasonable costs.

As in duty bound, etc.,

Lewis S. Hagg Jr.
Solicitor for Respondent.

Baltimore, Md.

August 29, 1923

Know All Men By These Presents
that I, Esther Bundy of the City of
Baltimore, State of Maryland, do hereby
constitute, employ Lewis S. Flagg
as and for my true and lawful
attorney to act for me and in my stead,
to enter his appearances and do all and
singular the acts necessary to be done in
and about a divorce case in the
Circuit Court of Baltimore City,
entitled ~~to~~ Bundy vs. Bundy.
As witness my hand and seal.

Esther Bundy

Seal

Witness:-

A. Cornelius Jennings

CIRCUIT COURT

19 ³¹⁰ *NA* ¹⁶⁷ *W* Docket No.

Paul Bundy
vs.

Hester Bundy

Order 19

Petition for leave to take
Testimony and Order
of Court thereon.

B *23891*
W No.

Sept *[5]*
1 Sept 19

23

Paul Bunday

vs.

Hester Bunday

IN THE
Circuit Court
OF
BALTIMORE CITY.

To the Honorable the Judge of the
Circuit Court of Baltimore City:

THE PETITION OF *plaintiff*

in this case, respectfully shows that desire to take testimony in this case, and
respectfully pray that leave be granted to do so before one of the Standing
Examiners of this Court.

J. Stewart Davis
Solicitor for *plaintiff*

ORDERED, this *1st* day of *September* 19*23*, that
leave be granted to the parties to the cause, to take testimony, as prayed, before any one
of the Standing Examiners of this Court.

Henry Duff

3/12/1476

Doc. B 310
1922

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Paul J. Bundy

vs.

Esdee Bundy

No. 23891B

PLAINTIFF'S COSTS

Examiners.....\$.....

Copies.....

Sheriff.....

Stenographer.....

\$ _____

DEFENDANT'S COSTS

Examiners.....\$.....

Copies.....

Sheriff.....

Stenographer.....

\$ _____

Ed 14 Nov 1923

Paul J. Bundy

vs.

Esther Bundy

In the Circuit Court

OF BALTIMORE CITY.

The above cause being at issue

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 *first* day of *September* 19*22*, met on the *fifteenth* day of *September* in the year nineteen hundred and *twenty-three* at my office, in the City of Baltimore, in the State of Maryland, and assigned the *fourteenth* day of *September* in the same year at *three* o'clock in the *after*-noon and the office of *J. Stewart Davis, Esq.* 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:—

Bundy,

v.

Bundy.

Testimony taken at the office of Mr. Davis,
Baltimore, Maryland, September 1923, at three O'clock
P M.

Paul J. Bundy, the Plaintiff in this case,
produced on his own behalf, having been first duly
sworn, deposeseth and saith as follows, that is to
say:

By the Examiner:

1 Q. State your name residence and occupation?

A. Paul J. Bundy, 1420 McCulloh Street; cook.

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

A. I am the Plaintiff and my wife is the Defen-
dant.

By Mr. Davis:

1 Q. When were you married?

A. October 1st., 1917.

2 Q. Were you married by a Minister of the Gospel?

A. Yes.

3 Q. In Baltimore City?

A. Yes.

4 Q. By a Religious Ceremony?

A. Yes.

Paul J. Bundy.

5 Q. Has the Plaintiff been a resident of Baltimore City, State of Maryland, for at least two years prior to the filing of this suit?

A. Yes.

6 Q. Are there any children as the result of this marriage?

A. No sir.

7 Q. What was your conduct towards your wife while living together?

A. I treated her as a perfect gentleman, and I must acknowledge that I believe that I ruined her by doing too much for her.

8 Q. State whether or not you were always a kind, affectionate and faithful husband?

A. Yes; I was.

10 Q. Are you and your wife living together now?

A. No sir.

11 Q. Which left the other; did you leave her or did she leave you.

A. She left me.

12 Q. When did she leave you the first time?

A. The first time we were living on Carey Street; I do not know exactly when the first time was, but this last time we have been separated three years.

Paul J: Bundy.

13 Q. I understood you to say that she left you and that she came back to you and that you lived with her after that.

A. Yes.

14 Q. That is the separation that I am talking about; the first separation,- When she left you that time what did she say and what did she do.

A. We had a little argument one night, and she got up at night and left; she did not stay away long, and she came back, and when she came back then I left, and since then we have not been together again.

15 Q. All right; tell us about the separation in April, 1919; what happened then?

A. Because I could not get along with her under those circumstances; I was making good money, and I would give her my money and even then she would not provide things and she would run up bills on me.

14 Q. Why did you leave her?

A. Because she would not do anything for me.

15 Q. Be specific; what do you mean; do you mean that she did not cook your meals?

Paul J. Bundy.

A. Yes; she did not cook a half dozen meals while I was married to her, and she would not be home, when I got home from work.

16 Q? When would she get home?

A. Shortly afterwards sometimes.

17 Q. And where would she say she had been?

A. To her mother's.

18 Q. Did you find out that she was at her mother's.

A. Sometimes I would, and sometimes I would find her sitting on the steps, and sometimes a man sitting there talking to her, and she said that it was a man from her mother's home, and there was'nt anything to it.

19 Q. What reason did she give for not preparing your meals?

A. She said that she could not cook.

20 Q. You had been married a couple of years.

A. Yes.

21 Q. What did you have to do?

A. I had to cook for my own-self.

22 Q. How much did you give her?

A. All the money that I made; I made \$45. and \$50. a week, and she would not have ten cents Saturday night.

Paul J. Bundy.

23 Q. What did she do with her money?

A. She threw it away.

24 Q. And what else?

A. I do not know; she was feeding her mother and other people and I found it out, and the store bill was eighteen and nineteen doollars every week.

25 Q. What was her treatment towards you?

A. She was all right towards me while I was at Camp Meade, and the night that I came home from Camp Meade she was out,- she went out, and she stayed out until one or two O'clock that night.

26 Q. How do you know that she stayed that long.

A. I received a letter from some of her friends telling me---

Counsel interrupting: You must only tell what you know; have you seen her since the separation.

Witness: O, yes.

27 Q. What did she say with reference as to whether or not she would live with you again?

A. She never would say anything about it.

28 Q. What I mean is, did she say that she would or would not live with you.

A. The last time that I saw her,- I saw her

Paul J. Bundy.

and she said that she was not coming back any more, and I asked her before this other man whether she wanted to make up or what she wanted to do, and she said no, that she was getting along fine, and that she would not come back.

29 Q. When was that?

A. A couple of weeks before I came to see you.

30 Q. And then you came down and filed this suit for divorce.

A. Yes.

30 Q. Have you seen her since then to ask her to come back?

A. No sir; I have not seen her or had any talk with her.

32 Q. Have you lived or cohabited with her since the separation?

A. No sir.

32 Q. Are there any children as the result of this marriage?

A. No sir; none living.

33 Q. Is there any hope or expectation of a reconciliation or any chance of their making up?

A. No sir.

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.---

No
Paul J. Bundy

William Corbin, a witness of lawful age, produced on behalf of the Plaintiff, having been first duly sworn, deposed and saith as follows, that is to say:

BY the Examiner:

1 Q. State your name residence and occupation?

A. William Corbin, 1517 Mosher Street; cook.

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

A. Yes.

By Mr. Davis:

1 Q. You were not present at the marriage?

A. No sir.

2 Q. Did you understand; were you present at the marriage?

A. No sir.

3 Q. Do you know that they are husband and wife?

A. Yes.

4 Q. They were married October 1st., 1917?

A. Yes; about that time

5 Q. And he alleges that they lived together as husband and wife until April 3rd., 1919?

A. Yes; they did.

5 Q. What was her conduct towards him; he states that he left her because of her conduct; do you know anything about her conduct?

A. I know this, that he gave her money and that she would not do anything for him, and she ran around.

William Corbin.

6 Q. How do you know that.

A. Because I saw her.

7 Q. Whe; day time or night time.

A. Day time and night time too.

8 Q. How late at night.

A. As late as twelve O'clock at night.

9 Q. Where?

A. Over at my house she was.

10 Q. What was she doing over there.

A. To visit my house, and a fellow would come over and meet her sometimes and walk home with her.

10 Q. Who was this fellow.

A. The same fellow that she is living with now.

12 Q. Where is she living now.

A. She is living on Mount Street; I do not know the number.

13 Q. Do you know the house?

A. No sir.

14 Q. You say that she is living there with this fellow?

A. Yes.

14 Q. How do you know that?

A. She said so herself.

William Corbin.

15 Q. Did you hear her say so.

A. Yes.

16 Q. When did you hear her say so.

A. Not any longer than a month ago.

17 Q. Of course, you were not along on April 3rd.,
1919 when he had to leave his wife?

A. No sir.

18 Q. But you say that she did not prepare his meals.

A. Yes.

19 Q. Did you visit their house often.

A. Yes; sometimes every other night I would go
there and sometimes I would go home with him from work,
and he would cook his supper.

19 Q. You saw him preparing his own meals?

A. Yes.

21 Q. How much money did he give his wife weekly?

A. All the way from forty to forty-five and
fifty dollars a week.

21 Q. How do you know that.

A. Because I know that he had the money and that
he gave it to her, and then he had to borrow money from
me.

23 Q. Was he a kind and faithful husband?

A. Yes.

William Corbin.

24 Q. Have you ever heard her state whether or not she would come back to her husband again.

A. I heard her no longer than the night the lawyer came over there, and she said that she would never go back to him, and that she did not want him.

25 Q. You heard her tell a lawyer that?

A. No sir; I did not hear her tell the lawyer that, but I heard her say that the same night.

26 Q. Who did she say that too.

A. To my wife; she said that, and she said that she was going to get married to this fellow when her husband got the divorce.

27 Q. Has this abandonment continued uninterruptedly for more than three years prior to the filing of this suit?

A. Yes.

28 Q. Are there any children as the result of this marriage?

A. No.

29 Q. State whether or not her abandonment of her husband was deliberate and final?

A. Yes.

30 Q. And is the separation and abandonment beyond all reasonable hope or expectation of a reconciliation?

A. No sir.

31 Q. Are they both residents of Baltimore City,

William Corbin.

State of Maryland, and have they been for more than two years prior to the filing of this suit,

A. Yes:

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.---

no.

William Carbin

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 March in the year of Our Lord nineteen hundred and twenty-three at the City of Baltimore, in the State of Maryland.

Ade Rappington..... (SEAL).
Examiner.

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

Plaintiff's..... Exhibit /.....

Defendant's..... Exhibit /.....

Ade Rappington.....
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.....

Ade Rappington.....
Examiner.

510 Circuit Court

1922 Docket _____

Paul Bundy

vs.
Esther Bundy

SUBMISSION FOR DECREE.

Mr. Clerk,
Please file.

[Signature]

Solicitor for Plaintiff.

No. 323891

Filed 14⁷ Nov 19

13

Paul Bundy

~~Esther~~
~~Leather~~ vs. Bundy

In the Circuit Court
of Baltimore City

TERM 19__

To the Honorable

Judge of Said Court:

The above cause is respectfully submitted for
decree and the 43rd General Equity Rule is hereby waived.

[Signature]

Solicitor for Plaintiff,

Lewis S. Flagg, Jr.

Solicitor for Defendant.

310 Circuit Court

192 3 Docket No.

Bundy

vs.

Bundy

Order of Reference
and Report

B 23891

No.

8

Order Filed *14* day of *Nov* 192*3*

Report Filed _____ day of _____ 192

Paul Bundy
vs.
Esther Bundy

IN THE
Circuit Court

OF
BALTIMORE CITY

September Term, 192³
14th

This case being submitted, without argument, it is ordered by the Court, this
day of ~~September~~ November, 192³, that the same be and it is hereby referred to
Alex W. Robertson, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

Aug 1923

Report of Auditor and Master

Bill filed by husband against wife for divorce a vinculo matrimonii
on ground of abandonment for three years, Code Article 16, Section 36.
Defendant appears and answers by Solicitor, authority in writing.
Proof shows marriage, residence and abandonment of the Plaintiff for
at least three years continuous, deliberate, final and without hope of
reconciliation. Case submitted and ready for decree.

Alex W. Robertson
Auditor and Master.

CIRCUIT COURT

B 310
1922 No. Docket

..... Paul Bundy

VS.

..... Esther Bundy

Recorded

Folio 326 1923

Decree of Divorce

B No. 23891
(9)

Jd. 14" November 1923

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

Alex. S. Wolcott
Auditor and Master.

Decree of Divorce

11

IN THE

Circuit Court

OF

BALTIMORE CITY

PAUL BUNDY

VS.

ESTHER BUNDY

SEPTEMBER

Term, 19 23.

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

It is thereupon, this 14th day of November, A. D. 1923 by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

PAUL BUNDY

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, ESTHER BUNDY.

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

Alvin Duffey