

IN THE CIRCUIT COURT OF

BALTIMORE CITY.

*B 845
1925*

REBECCA BUSH

VS.

ALBERT BUSH

1024 S. Sharp St.

BILL FOR DIVORCE.

B 29845

Mr. Clerk:-

217
Please file.

Davis & Evans
ATTORNEYS FOR PLAINTIFF.

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

FCI 19 Oct 1925

BAUMGARTEN & CO., INC.

3/18/2/64

REBECCA BUSH : IN THE CIRCUIT COURT

VS. : OF

ALBERT BUSH : BALTIMORE CITY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:

1. That she was married to her husband, Albert Bush October 15, 1917 and with whom she resided until about the 10th day of August, 1921 when the defendant deserted the plaintiff.
2. That though the conduct of your Oratrix toward the said defendant has always been kind, affectionate and above reproach, he has, without any just cause or reason, abandoned and deserted her and has declared his intentions to live with her 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 Oratrix has not lived or co-habited with the said defendant since said desertion.
4. That there are no children born as issue of said marriage.
5. That your Oratrix is destitute and without the means of financing the expenses of this suit and she is advised by Counsel that she is entitled to have an order passed by this Court awarding some amount as alimony pending this litigation and some sum certain to compensate her solicitor. The defendant is employed and earns about thirty dollars per week.

6. 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:

- (a) That your Oratrix may be divorced A Vinculo Matrimonii from the said Albert Bush.
- (b) Alimony and Counsel fee.
- (c) 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 Albert Bush, commanding and requiring him to be and appear in this Court on some day certain to be named therein to answer the promises and abide by and perform such decree or order as may be passed therein.

AND: as in duty bound, etc.

Davis & Evans

ATTORNEYS FOR PLAINTIFF.

P 285

Ct. Ct.

845
1925 B- Docket No. 65

P 2471

REBECCA BUSH

VS.

ALBERT BUSH

1024
1024 S. Sharp St.

SUBPOENA TO ANSWER BILL OF COMPLAINT

B Paw
No. 29845
(2)

Filed 6 Nov 1925

Davis & Evans,

SOLICITORS

8

Summoned and a copy of the process left with the defendant

John E. Pottee
Sheriff

Fees \$0.80

(Mitchell
10-27-25)

EQUITY SUBPOENA

The State of Maryland

To

ALBERT BUSH

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

REBECCA BUSH

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 September 1925 Issued the 19th day of October, in the year 1925

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.

(General Equity Rules 11)

Rebecca Bush

vs.

Albert Bush

IN THE
Circuit Court
OF
BALTIMORE CITY.

June

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 11th day of February in the year nineteen hundred and twenty two 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.

Charles F. ...

Doc. B $\frac{845}{1925}$

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Rebecca Bush

vs.

Albert Bush

No. 29845
47

PLAINTIFF'S COSTS

Examiners..... \$
Copies.....
Sheriff
Stenographer
\$ _____

DEFENDANT'S COSTS

Examiners..... \$
Copies.....
Sheriff
Stenographer
\$ _____

FD 7" May 1926

Rebecca Bush

vs.

Albert Bush

In the Circuit Court

OF BALTIMORE CITY.

Decree Pro Confesso having been passed in said 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 eleventh day of February 1926, met on the eleventh day of February in the year nineteen hundred and twenty-six at my office, in the city of Baltimore, in the State of Maryland, and assigned the eleventh day of February in the same year at two-thirty o'clock in the afternoon and the office of A. de Rappington, 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:—

8-4-8

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REBECCA BUSH

VS.

ALBERT BUSH.

Testimony taken before me, A. deRussy
Sappington, Examiner, on February 11, 1926, at
my offices in the Title Building Baltimore, Maryland,
at 2.30 o'clock in the afternoon.

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Thereupon---

REBECCA BUSH,
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 Rebecca Bush, 25 North Fremont Street,
cook.

Q Do you know the parties to this suit?

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

By Mr. Davis:

Q When, where and by whom were you married?

A October 15, 1917 in Baltimore, Maryland,
by a Minister of the Gospel

Q Are you living with your husband now?

A No, sir.

Q Which left the other, and when?

A He left me on the 10th of August, 1921.

Q Where were you living at the time?

A Henrietta Street near Leadenhall.

Q Now, were you always a kind, affectionate and faithful wife?

A I always was.

Q Did you give him any just cause to leave you?

A No, sir.

Q What happened on the day of the separation?

A I came in from work and had done nothing to him and he began to curse and argue with me and he walked over and struck me and said, "I am going to kill you," and he got a knife and chased me from the house", and they left.

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

A Yes.

Q Is it deliberate and final and beyond any reasonable hope or expectation of reconciliation?

A Yes, sir.

Q 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 Yes, sir, fifteen years.

Q Are there any children living as result of your marriage?

A No, sir.

Q You have asked to resume your maiden name, what is it?

A Bannister.

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

~~Bush~~ ~~Bein~~
Rebecca Bush.

Thereupon---

JAMES H. JOHNSON,

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 James H. Johnson, 135 West Henrietta Street, masonry.

Q Do you know the parties to this suit?

A Yes, sir.

By Mr. Davis:

Q Do you remember when they were married and lived together as husband and wife?

A I do.

Q Were they known and recognized in the community as husband and wife?

A Yes, sir.

Q Are they living together now?

A No, sir.

Q Did you visit them while they lived together?

A I did, yes, sir.

Q Which one left the other and when?

A He left her on the 10th of August, 1921.

Q Did she give him any just cause?

A None at all.

James H Johnson

Q How did he treat her?

A He beat her and threatened to kill her. I used to have to take her to work to protect her from him even after the separation---I am her brother-in law.

Q Was she always a kind, affectionate and chaste wife?

A She was.

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

A It has.

Q Is the separation deliberate and final and beyond any reasonable hope or expectation of reconciliation?

A Yes, sir.

Q Are there any children living as result of this marriage?

A No, sir.

Q Has the plaintiff been a resident of the City of Baltimore, State of Maryland for more than two years prior to the filing of this suit?

A Yes, sir, she has.

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

Rev James H. Johnson

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.....*seventh*.....day of.....*May*..... in the year of Our Lord nineteen hundred and.....*twenty-six*.....at the City of Baltimore, in the State of Maryland.

A. de Russey Sappington (SEAL).
Examiner.

There are.....*no*.....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

Circuit Court

845-
1925

29845

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Docket No. _____

Rebecca Bush

vs.

Albert Bush

**Order of Reference
and Report**

d. Lyons

B No. 29845
(5)

Order Filed 19 day of Aug 1926

Report Filed 28 day of Aug 1926

CHICAGO
COURT
CLERK
BATHING CITY

Rebecca Bush

vs.

Albert A Bush

IN THE

Circuit Court

OF

BALTIMORE CITY

July Term, 1926

This case being submitted, without argument, it is ordered by the Court, this 19 day of August, 1926, 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.

E. Frank

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 summoned but failed to answer.

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

The marriage proven.

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

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

Case ready for decree.

William P. Lyons

August 20, 1926

Auditor and Master

CIRCUIT COURT

B 845
1925 No. Docket

REBECCA BUSH

vs.

ALBERT BUSH

Recorded

Folio 326 1926

Decree of Divorce

B No. 29845
(6)

Ed 1" Dec 1926

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

William P. Lyons
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

REBECCA BUSH

VS.

ALBERT BUSH

Nov. ~~July~~ Term, 1926.

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

It is thereupon, this *1st* day of *December*, A. D. 1926, by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

----- REBECCA BUSH, -----
the above named Complainant be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, ALBERT BUSH;

AND it is further ordered that the name of the Complainant, Rebecca Bush, be and the same is hereby changed to Rebecca Bannister.

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

[Signature]