

IN THE CIRCUIT COURT OF

BALTIMORE CITY

L3 B 743

LILLIAN GRAGG *9 23*

VS.

CLARENCE GRAGG

BILL FOR DIVORCE

Mr. Clerk:-

Please file.

J. Steward Davis
SOLICITOR FOR COMPLAINANT

A 26170

(1) (2)

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

A 13 Novemb 1923
11 14 11 11

LILLIAN GRAGG : IN THE CIRCUIT COURT
VS. : OF
CLARENCE GRAGG : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:

1. That she was married to her husband, Clarence Gragg June 22, 1918 and with whom she resided until about August 1, 1923 when the defendant deserted the plaintiff.
2. That though the conduct of your Oratrix toward the said Clarence Gragg 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 there are no children as result of said marriage.
4. That your Oratrix has not lived or co-habited with the said defendant since said desertion.
5. That your Oratrix is a citizen of the State of Maryland, residing in Baltimore City for more than two 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 Oratrix may be divorced a Vinculo Matrimonii from the said Clarence Gragg.
- (b) That she may have such other and further relief as her case may require.

(c) That she may resume her maiden name, Brown.

May it please your Honor to grant unto your Oratrix the Order of Publication directed against the said Clarence Gragg, a non-resident of the State of Maryland, aforesaid, 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.


SOLICITOR FOR COMPLAINANT.

J. STEWARD DAVIS, SOLICITOR, 215 ST. PAUL PLACE

IN THE CIRCUIT COURT OF BALTIMORE CITY

LILLIAN GRAGG VS. CLARENCE GRAGG

The object of this bill is to procure a divorce a Vinculo Matrimonii by the plaintiff from the defendant.

The bill recites that the parties were married June 22, 1918 and lived together until about Aug. 1, 1923, when the defendant deserted the plaintiff. That there are no children as issue of said marriage. That the defendant is a non-resident of the State of Maryland and that he deserted his wife without any just cause or reason and has declared his intentions to live with her no longer; that 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 expectation of reconciliation. That the plaintiff has been a citizen of the State of Maryland for more than three years prior to the filing of this Bill of Complaint, but that the defendant is a nonresident.

IT is thereupon this *14* day of *November* 1923, ordered by the Circuit Court of Baltimore City, that the plaintiff by causing a copy of this order to be published in Baltimore City once in each of four successive weeks, before the *14* day of *December* 1923, give notice to the absent defendant, Clarence Gragg, of the object and substance of this bill, warning him to be and appear in this Court in person or by Solicitor on or before the *31* day of *December* 1923 to show cause, if any he may have, why a decree should not be passed as prayed.

Henry Gragg

743
1923
63-10

IN THE CIRCUIT COURT OF
BALTIMORE CITY.

LILLIAN GRAGG

VS.

CLARENCE GRAGG

Mr. Clerk:-

Please file.

J. Steward Davis
ATTORNEY FOR COMPLAINANT

926170
(5) (4)

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

15 January 1924

*311
725
11/10/23
J. Steward Davis*

LILLIAN GRAGG : IN THE CIRCUIT COURT
VS. : OF
CLARENCE GRAGG : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully says:

1. That on or about the 13th day of November 1923, your Oratrix filed in this Honorable Court a bill of complaint, praying among other things a divorce a Vinculo Matrimonii.
2. That your Oratrix failed to add the following paragraph:
Wherefore your Oratrix prays leave to amend the aforementioned original bill of complaint by adding the following paragraph known as the 6th paragraph of the original bill of complaint.

(6)

That the said Clarence Gragg has on divers days and times since said marriage committed the crime of adultery with divers, lewd and abandoned women whose names to your Oratrix are unknown, and said offense has not been condoned by your Oratrix.

AND as in duty bound, etc.


SOLICITOR FOR COMPLAINANT.

Ordered by the Circuit Court of Baltimore City this 15
day of January, 1924, that the aforementioned bill be amended
as prayed.

Charles F. Allen

J. STEWARD DAVIS, SOLICITOR
215 ST. PAUL PLACE
IN THE CIRCUIT COURT OF BALTIMORE CITY
LILLIAN GRAGG VS. CLARENCE GRAGG

ORDER OF PUBLICATION

The object of this bill is to procure a divorce a Vinculo Matrimonii by the plaintiff from the defendant.

The bill recites that the parties were married June 22, 1918 and lived together as man and wife until about the 1st day of August, 1923 when the defendant deserted the plaintiff. That there are no children as issue of said marriage; that the plaintiff has been a resident of said city and State for more than two years and the defendant is a non-resident of said State. That though the conduct of the plaintiff towards 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; that he has on divers days and times, committed the crime of adultery with divers, lewd and abandoned women and said offense has not been condoned by your Oratrix.

It is thereupon this 15th day of *January* 1924, ordered by the Circuit Court of Baltimore City that the plaintiff by causing a copy of this order to be published in Baltimore City once each week for four successive weeks, before the 15th day of *February* 1924, give notice to the absent defendant, Clarence Gragg of the object and substance of this bill, warning him to be and appear in this Court in person or by Solicitor, on or before the 3rd day of *March* 1924 to show cause, if any he may have, why a decree should not be passed as prayed.

Clarence F. Davis

743862
192.3

Docket No.....

Gragg

vs.

Gragg

Certificate of Publication

B26170
[5]

THE DAILY RECORD

Filed 4 day of May 1924

THE DAILY RECORD

J. Steward Davis, Solicitor,
215 St. Paul Place.

IN THE CIRCUIT COURT OF BALTI-
MORE CITY — (B-733-1923) — Lillian
Gragg vs. Clarence Gragg.
ORDER OF PUBLICATION.

The object of this bill is to procure a
divorce a vinculo matrimonii by the plain-
tiff from the defendant.

The bill recites that the parties were
married June 22, 1918, and lived together
as man and wife until about the 1st day
of August, 1923, when the defendant de-
serted the plaintiff. That there are no
children as issue of said marriage; that
the plaintiff has been a resident of said
city and State for more than two years
and the defendant is a non-resident of
said State. That though the conduct of
the plaintiff towards 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; that he has on
divers days and times, committed the
crime of adultery with divers, lewd and
abandoned women and said offense has
not been condoned by your oratrix.

It is thereupon this 15th day of January,
1924, ordered by the Circuit Court of
Baltimore City, that the plaintiff by
causing a copy of this order to be pub-
lished in Baltimore City once each week
for four successive weeks, before the 15th
day of February, 1924, give notice to the
absent defendant, Clarence Gragg of the
object and substance of this bill, warning
him to be and appear in this Court in
person or by Solicitor, on or before the
3rd day of March, 1924, to show cause, if
any he may have, why a decree should
not be passed as prayed.

CHARLES F. STEIN,

True copy—Test:

CHAS. R. WHITEFORD

Clerk.

ja16,23,30,fg

Baltimore, FEB 6 - 1924, 1924

We hereby certify that the annexed advertise-
ment of Order Publication Circuit Court

of Baltimore City, Case of _____

Lillian Gragg
vs. Clarence Gragg

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

15th day of February 1924

First insertion Jan. 16th, 1924

THE DAILY RECORD

Per Alexander Pitzel

74263 Ct. Ct.

1923 Docket

Sillian Gragg

vs.

Clarence Gragg

Decree Pro Confesso.

B26170

No.

Sept 6

Filed 11 March 1924

Sillian Gragg.

vs.

Clarence Gragg

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 *4* day of *March* in the year nineteen hundred and twenty *four* 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. Stewart

Doc. B 743
1928

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Lillian Gragg

vs.

Clarence Gragg

No. 26170 B

PLAINTIFF'S COSTS

Examiners..... \$ 8.00
Copies
Sheriff.....
Stenographer
\$ _____

DEFENDANT'S COSTS

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

sd 2 May 1928

3/13/1/49

Lillian Gagg

vs.

Clarence Gagg

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 *fourth* day of *March* 19*24*, met on the *seventeenth* day of *March* in the year nineteen hundred and *twenty-four* at my office, in the City of Baltimore, in the State of Maryland, and assigned the *eighteenth* day of *March* 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:—

8-4

Gragg,

v.

Gragg.

Testimony taken at the office of Mr. Davis,
Baltimore, Maryland, March 1924, at three O'clock
P. M.

Lillian Gragg, the Plaintiff in this case,
produced on her 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. Lillian Gragg, 112 North Carrollton Avenue; hair-
dresser.

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

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

By Mr. Davis:

1 Q. When were you married?

A. 22nd., June 1918.

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.

Lillian Gragg.

5 Q. Have you 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.

7 Q. What was your conduct towards your husband while living together; how did you treat him?

A. I treated him as a wife; I worked.

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

A. Yes; I was.

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

A. No sir.

11 Q. Which left the other; did he leave her or did -- Did he leave you or did you leave him?

A. He left me.

12 Q. When?

A. August 1st., 1923.

13 Q. Did he have any just cause or reason to abandon and desert you at that time?

A. No sir.

14 Q. You charge your husband with adultery; do you know anything personally about that?

A. Yes.

Lillian Gragg.

A. Yes.

15 Q. State what you know personally?

A. Well, I have a girl friend, and this girl friend of mine used to be a customer to this hairdresser, and I told her that I thought my husband was living there with a woman, and I wanted to find out for myself, and she said "All right, I am going there to get my hair fixed, and I will take you there, because they dont know you, and I will go in the m rning , and we went and she had about four customers ahead of her,, and this girl friend of mine was a friend of this hairdresser, and she gave her the privilege of going upstairs playing the piano while waiting, and we went upstairs, and this girl was playing the piano the player waiting for her turn, and in the mean time there was a room in the back of the living room which is a bed room, and my husband was in there with this woman.

16 Q. What woman?

A. Margaret Wells, and right after that Margaret Wells came out of the room in negligee, and she went downstairs, and in the meantime my husband came out in a bath robe.

Lillian Gragg.

17 Q. Did you say anything to your husband?

A. He looked at me; he saw me; he wanted to say something, but I would not say anything to him, and on my way going down the stairs, I looked into the room, and it was a bed room, and the bed was just as if they had just gotten up, and I waited for the girl to get through with her hair, and we went on out.

18 Q. Now, did you ever see your husband to speak to about this after that time?

A. No, he came to my house once and tried to talk to me, and I told him that I did not want to talk to him, and my mother told him not to come to the house any more.

19 Q. Now then, to go back to this time when you saw him in this bed room; when was this?

A. That was about the last of August.

20 Q. What year?

A. 1923.

21 Q. Did you see him in the bed room with this woman prior to the time that he came out?

A. The door was closed.

22 Q. And when did you see him for the first time?

A. When he opened the door and came out.

Lillian Gragg.

23 Q. When he opened the door and came out.

A. Well, she was the first one that opened the door and came out and he followed.

24 Q. Did she have to pass through the room in which you was sitting?

A. No, because you leave the room to go right down the steps.

25 Q. Did she see you.

A. No, I don't think she saw me.

26 Q. What time of the morning was this?

A. That was about half past ten O'clock.

27 Q. And how long was it before your husband came out of the room?

A. He came out about ten minutes after she came out.

28 Q. And when you say that woman was dressed in negligee; just describe that attire?

A. She had on a Georgette kimona over a night gown.

29 Q. Did she have any shoes or slipper on her feet, or was she in her bare feet?

A. She had bed room slippers on.

30 Q. Could you see whether she had stockings on or not.

Lillian Gragg.

A. She did not have any stockings on; everything was thin; she did not have any stockings on.

31 Q. Now, with reference to her husband - to your husband; just exactly how was he clothed?

A. Well, he just had on a bath robe and in his pajamas.

32 Q. And what?

A. When he walked you could see the pajama legs.

33 Q. And was he in his bare feet or what?

A. He had on bed room slippers.

34 Q. How long were they there in this bed room together before they opened the door and came out.

A. About five minutes. About five minutes after I got there.

35 Q. Now, did you question anybody about this in the house at that time; either the proprietress of the house or your husband or the woman?

A. No sir; I did not say anything to any one, because I did not want the woman to know that I was his wife, because she would not have let me upstairs if she had known it, and when I came down I did not say anything to her, but afterwards she learned that I was his wife, and after she found it out she made them

Lillian Gragg.

move away from there.

36 Q. Now, this was after the separation between you and your husband, was it not?

A Yes.

37 Q. Have you lived or cohabited with him since you discovered his adulteries?

A. No sir.

38 Q. Have you lived or cohabited with him since August 1st., 1923?

A. No sir.

39 Q. Have you forgiven or condoned his offense in any way?

A. No sir.

40 Q. Is your husband a resident or non-resident of the State of Maryland?

A. Non-resident.

41 Q. Of what State is he a resident?

A. Chattanooga, Tennessee.

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.

Alban Gregg

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

By the Examiner:

1 Q. State your name residence and occupation?

A. Gladys Johnson, 112 North Carrollton Street;
Clerk.

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

A. Yes. Mrs. Gragg is my sister.

By Mr Davis:

1 Q. Are the parties to this suit husband and wife?

A. Yes.

2 Q. Did they live together as husband and wife and were they always known and recognized in the community in which they lived as husband and wife?

A. Yes.

3 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.

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

A. No.

5 Q. What was her conduct towards her husband while living together; how did she treat him?

A. She treated him right.

Gladys Johnson.

6 Q. State whether or not she was always a kind, affectionate and faithful wife?

A. Yes.

7 Q. Are the parties to this suit living together now?

A. No sir.

8 Q. Which left the other; did he leave her or did she leave him?

A. He left her.

9 Q. When?

A. 1st., August 1923.

10 Q. She has charged her husband with adultery; do you know anything personally about that?

A. I know what he has said.

11 Q. What did he say to you?

A. He told me that he had, - that he was going to live with this woman; that he had gone through so much of her money that he had to stay with her to make good, and that he was never going to do right by my sister; that he was going to live with this money; that he had to live with her.

12 Q. How did that conversation come about?

A. I got off the car one day, and I saw him standing on the corner, and a girl came up behind him and hit him on the back of the neck, and it was this woman, and he said that she should not do that, and the girl left.

Gladys Johnson.

him and went down the street, and after I met him I had this conversation with him and he said "Well, I have gone through so much of her money, I have to go with her and live with her".

13 Q. Do you mean to state that in this conversation with you he admitted his adulteries to you with this Margaret Wells?

A. Yes.

14 Q. You have heard your sister testify with reference to her husband's adulteries; is that the same woman that she has reference to.

A. Yes.

15 Q. Then do you tell this Court that he has been living in adultery with this woman ever since he left his wife?

A. Yes.

16 Q. Has your sister lived or cohabited with him since she discovered his adulteries?

A. No sir.

17 Q. Has she lived or cohabited with her husband since August 1st., 1923?

A. No sir.

18 Q. Has she forgiven or condoned his offense in any way?

Gladys Johnson.

A. No sir.

19 Q. Is he a resident or a non-resident of the State of Maryland?

A. Non-resident.

20 Q. Of what State is he a resident?

A. Chatanooga, Tennessee.

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.---

Ms.

Gladys Johnson.

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

By the Examiner:

1 Q. State your name residence and occupation?

A. Bendella Love, 1222 Bayard Street; I do not work.

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

A. Yes.

By Mr. Davis:

1 Q. Are they husband and wife?

A. Yes.

2 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.

3 Q. Are there any - Are they living together now?

A. No sir.

4 Q. When did they separate?

A. August 1st., 1923.

5 Q. She has charged her husband with adultery; do you know anything personally about this?

A. Yes.

6 Q. Tell us what you know?

A. One night I was in a dance hall, and he knew

Bendella Love.

that I was a personal friend of his wife, and he gave me to understand that the girl that he was with, and the woman who was his girl friend, and when the dance let out, he was boarding on Druid Hill Avenue and he and this girl went down there, and he gave me to understand that I was not to tell his wife and he was going in there for the night with her, and that was about fifteen minutes of one.

7 Q. Is that the same girl that the Plaintiff and her sister has told us about?

A. Yes.

8 Q. What is the general reputation of this girl Margaret Wells and the Defendant in this case relative to their relations?

A. That he just lived with her; that is all.

9 Q. Lives with her in adultery?

A. Yes.

10 Q. Is that generally known among the people that know both Margaret Wells and Gragg?

A. Yes.

10 Q. Has his wife lived or cohabited with him since she discovered his adulteries, or has she forgiven or condoned his offense?

A. No sir; she has not.

Bendella Love.

A. No sir; she has not.

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.

Burdella Love

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.....*12th* day of *May* in the year of Our Lord nineteen hundred and *twenty-four* at the City of Baltimore, in the State of Maryland.

A. de Russey Sappington (SEAL).
Examiner.

There are *one* 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

743

192 3

Docket No.

Gragg

vs.

Gragg

Order of Reference
and Report

B 26170

No.

8 ✓

Roberts

3

May 192 4

Order Filed day of 192 4

Report Filed day of 192

743
IN THE

Circuit Court

OF

BALTIMORE CITY

March Term, 1924

Lillian Gagg
vs.
Clarence Gagg

3

This case being submitted, without argument, it is ordered by the Court, this day of May, 1924, that the same be and it is hereby referred to Alee H. Robertson, Esq., Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Alee H. Robertson

Report of Auditor and Master

Bill filed by wife against husband for divorce a vinculo matrimonii on the ground of adultery, Code Article 16, Section 36. Order of publication against Defendant as a non resident. No answer. Decree pro confesso, thirty days elapsed. Proof shows residence of Plaintiff and non residence and adultery of the Defendant. Case ready for decree.

Alee H. Robertson
Auditor and Master.

Circuit Court

743 B
19 23 No. 63 Docket

LILLIAN GRAGG,

vs.

CLARENCE GRAGG,

Recorded

Folio 127 1924

DECKEE OF DIVORCE

B No. 26170
97

Filed 6th May, 1924

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

Abel H. Robertson
Auditor and Master.

IN THE

LILLIAN GRAGG,

vs.

CLARENCE GRAGG,

Circuit Court

OF

BALTIMORE CITY

MARCH

Term, 1924.

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

It is thereupon, this 6th day of May Anno Domini, one thousand nine hundred and twenty-four by the CIRCUIT COURT OF BALTIMORE CITY, Adjudged, Ordered and Decreed, that the said

LILLIAN GRAGG,

the above named complainant be, and she is hereby DIVORCED, A VINCULO MATRIMONII, from the defendant, CLARENCE GRAGG,

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

Charles F. Stem

I, CHARLES R. WHITEFORD, Clerk of the Circuit Court of Baltimore City, do hereby certify that the above is a true copy of the decree taken from the record of proceedings in said cause.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the said Court, this day of 19