

IN THE CIRCUIT COURT OF
BALTIMORE CITY.

*B 18
1926*

MARION DIXON

VS.

DANIEL DIXON

1805 White St.

BILL FOR DIVORCE.

B 30296

Mr. Clerk:-

(1)
Please file.

Acers + Evans.
ATTORNEYS FOR PLAINTIFF.

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

fd 12 Jan 1926

MARION DIXON : IN THE CIRCUIT COURT

VS. : OF

DANIEL DIXON : BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Oratrix complaining respectfully represents:

1. That she was married to her husband, Daniel Dixon on the 21st day of November, 1921 and with whom she resided until on or about the 15th day of May, 1925.
2. That ever since said marriage your Oratrix has behaved herself as a faithful, chaste and affectionate wife toward the said Daniel Dixon.
3. That the said Daniel Dixon has on divers days and times since said marriage committed the crime of adultery with divers, lewd and abandoned women, whose names are unknown to your Oratrix and said offense has not been condoned by your Oratrix.
4. That your Oratrix has not lived or co-habited with the said defendant since she discovered said adulteries.
5. That there are no children born as issue of said marriage.
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 Daniel Dixon.
- (b) That she may resume her maiden name "BRACKETT".
- (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 Daniel Dixon
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 there-
in.

AND as in duty bound, etc.

Davis & Evans

ATTORNEYS FOR PLAINTIFF.

P385

Ct. Ct.

H-18
1926.

Docket No.

MARION DIXON

VS.

1-28-26 #13

DANIEL DIXON

1805 White Street

SUBPOENA TO ANSWER BILL OF COMPLAINT

PD

No. B-30296

(2)

Filed 6 Feb, 1926.

Davis & Evans

SOLICITOR

13

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

*John E. Patee
Sheriff*

Recd \$0.80

*(Recd
1-28-26)*

EQUITY SUBPOENA

The State of Maryland

vs DANIEL DIXON

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

MARION DIXON

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 11th day of January, , 192 6. Issued the 13th day of January , in the year 192 6.

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)

IN THE CIRCUIT COURT OF

BALTIMORE CITY.

18/1926 B66

MARION DIXON

VS.

DANIEL DIXON

P E T I T I O N

Mr. Clerk:—

Please file.

J. Steward Davis
ATTORNEYS FOR PETITIONER

B 30296

(3)

J. STEWARD DAVIS

ATTORNEY AT LAW

215 SAINT PAUL PLACE

BALTIMORE, MD.

9919 Mch 1926

MARION DIXON

:

IN THE CIRCUIT COURT

VS.

:

OF

DANIEL DIXON

:

BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

1. The petition of Marion Dixon respectfully says:

That on the 12th day of January, 1926 she filed in this Honorable Court a Bill for divorce A Vinculo Matrimonii from Daniel Dixon.

2. Your petitioner states that she is destitute and without means of financing the expenses of this suit and that she is advised by Counsel that she is entitled to have an order passed by this Honorable Court awarding her some amount as alimony pending this litigation and some sum certain to compensate her Solicitor. The defendant is employed and earns twenty-five dollars per week.

TO THE END, THEREFORE:

(a) That your Oratrix may be granted alimony and Counsel fee.

(c) That she may have such other and further relief as the case may require.

Davis T. Evans

ATTORNEYS FOR PLAINTIFF.

B Docket 18
1926

CIRCUIT COURT.

Marion Dixon

vs.

Daniel Dixon
1805 White St

Order for Alimony

Pendente Lite

3-22-26

ORDER

B No. 30296

\$25 per (4)
wk
no children

Fd: 20 March 1926
13

Copy of the within Order of Court served on Daniel Dixon on the 22nd day of March, 1926, in the presence of James E. Peene.

John E. Poles
Steuiff

Fee \$0.50

6-10

IN THE
CIRCUIT COURT
OF
BALTIMORE CITY

Marion Dixon

vs.

Daniel Dixon

March TERM, 192 *6*

ORDERED BY THE COURT this *20th* day of *March* 192 *6*

that the defendant *Daniel Dixon*

pay to the plaintiff *Marion Dixon*

the sum of *Eight*

Dollars per week, during the continuance of this suit, accounting from the *20*

day of *March* 192 *6* to the said plaintiff *Marion Dixon*

as alimony, *pendente lite* unless cause to the contrary be shown on or before the *31*

day of *April* 192 *6* provided a copy of this Order be served on the said defendant

Daniel Dixon on or before the *29th*

day of *March* 192 *6*.

James P. Gorton

TRUE COPY—TEST:

CLERK

In the *B 18*
Circuit Court *1926*
of Baltimore City.

Marion Dixon,
plaintiff,

vs.

Daniel Dixon,
defendant.

Answer.

B 30296
(5)

Mr. Clerk:
Please file &c.,

Harry N. Brooks,
Sol. for de'ft.

Feb 24 Meh 1926

Marion Dixon,) In the
 plaintiff,)
))
vs.) Circuit Court
))
Daniel Dixon,)
 defendant.) of Baltimore City.

To the Honorable, the Judge of said Court:

The answer of Daniel Dixon, the above named defendant, to the bill of complaint of Marion Dixon, plaintiff, in this Honorable Court against him exhibited.

This defendant, answering, says:

- I. He admits the allegations set forth in paragraph one of said bill of complaint.
- II. This defendant neither admits nor denies the allegations contained in paragraphs two and three of said bill, but demands strict proof thereof.
- III. This defendant, having answered paragraphs Nos. two and three of said bill, he is advised that he is not bound to make other or further answer to paragraph four of said bill, than in his said answer contained.
- IV. This defendant admits the allegations set forth in the fifth paragraph of said bill.
- V. This defendant admits the allegations set forth in the sixth paragraph of said bill.

This defendant having answered said bill of complaint as fully as he is advised it is necessary for him to answer, Prays, to be hence dismissed with the costs in his behalf sustained.

And as in duty bound, etc.,

Daniel Dixon

Harry K. Brooks
Solicitor for defendant.

Circuit Court

18
1926

Docket B66

Marion Dixon

vs.

Daniel Dixon

Dapp

Petition for leave to take
Testimony and Order of
Court thereon

B No. 30296
(6)

Filed 31 March 1926

Marion Dixon

vs.

Daniel Dixon

IN THE

Circuit Court

OF

BALTIMORE CITY

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

THE PETITION OF

Marion Dixon,

Plaintiff,

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

Davis Evans
Solicitor for *plaintiff*

ORDERED, this

31

day of

March

192*6*, 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.

James P. Gorter

3/13/27

Doc. B ¹⁸
1926

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Marion Dixon

vs.

Daniel Dixon

No. 30296B

PLAINTIFF'S COSTS

Examiners..... \$

Copies.....

Sheriff.....

Stenographer.....

Lynn \$

DEFENDANT'S COSTS

Examiners..... \$

Copies.....

Sheriff.....

Stenographer.....

\$

Ad. 1" June 1926

Marion Dixon

vs.

Daniel Dixon

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 thirty-first day of March 1926, met on the thirty-first day of March in the year nineteen hundred and twenty-six at my office, in the city of Baltimore, in the State of Maryland, and assigned the thirty-first day of March in the same year at ten o'clock in the afternoon and the office of A. de R. Sappington, 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:—

P-4-18
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MARION B. DIXON

VS.

DANIEL E. DIXON

Testimony taken before me, A. deRussy
Sappington, Examiner, at my offices in the Title
Building, Baltimore, Md. on March 31, 1926, at 2.00
O'clock in the afternoon.

Messrs. Davis and Evans appeared for the
plaintiff.

--

Thereupon---

MARION B. DIXON.

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 Marion B. Dixon, 1207 West Lanvale Street,
elevator operator.

Q Do you know the parties to this suit?

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

BY MR. EVANS:

Q State when, where and by whom were you
married?

A Reverend D.G. Mack, A Minister of the Gospel on November 21, 1921 in Baltimore, Md.

Q Are you living with your husband now?

A No, sir.

Q Which left the other and when?

A He left me in the first part of May, 1925.

Q Were you always a kind, affectionate and faithful wife?

A Yes, sir.

Q Did you give him any cause to leave?

A No, sir.

Q Are there any children as result of your marriage?

A No, sir.

Q Have you been a resident of Baltimore, State of Maryland, for more than two years prior to the filing of this bill?

A Yes, sir.

Q You have alleged that your husband committed adultery, what if anything do you know about that?

A He was going with a girl named Lillian Mason Cassell and he gave her my telephone number to call me up and she called me and said if he was my husband he was her man, and she had the privilege of going with any man in Baltimore. I saw them together on the car one night, too, before the separation.

Q Did you ask your husband about it when she called up?

A Yes, I did, and we had an argument about it, and that is why we separated.

Q Have you seen him with her since?

A Yes, sir.

Q Since you found out that your husband committed adultery have you ever lived or cohabited with him?

A No, sir.

Q Have you forgiven or condoned his offense?

A No, sir.

Q Was---when this woman called you up on the telephone did she say anything about illicit relations with your husband?

A She called me up and said if he was my husband he was her man. She said if I wanted to make any trouble she could tell me where they were meeting.

Q Did she say that she met him at a hotel?

A She didn't give the name of the hotel.

Q Have you since learned where this hotel is located?

A On Paca Street; I don't know the number.

Q You asked your husband about it?

A Yes.

Q Did he admit or deny it?

A He admitted it.

Q Did he tell you what you could do about it?

A He said if I didn't like it I could suit myself.

Q Is he now living with this Cassell woman?

A He lives at 842 Carey Street and that is where she lives.

Q Do they pass as man and wife?

A Yes, 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. ~~---~~ 4/10

Marion B. Hixon.

THEREUPON---

LOUIS E. MORRIS,

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 Louis E. Morris, 1233 Druid Hill Avenue,
mechanic.

Q Do you know the parties to this suit?

A I do.

By Mr. Davis:

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

A Yes, sir.

Q Did you visit them frequently while they lived together as husband and wife, and know them to be such?

A Yes, sir.

Q State whether or not Mrs. Dixton has conducted herself as a kind, affectionate and faithful wife ever since her marriage?

A Yes, sir, she has.

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

A No, sir.

Q When did he leave her?

A During the month of May, 1925.

Q Are there any children as result of this marriage?

A No, sir.

Q How long has the plaintiff, Mrs. Dixon been a resident of the City of Baltimore, State of Maryland?

A For the last eight years.

Q Mrs. Dixon has alleged that her husband has committed adultery. State what you know about that, and when it was?

A I left church with Mr. Dixon; the church was at Fremont and Lafayette Avenue on Sunday, in September, 1925. I don't know the exact date. We went to Mr. Dixon's sisters house on Mosher Street about 6.30 o'clock and after while Mr. Dixon's lady friend, Mrs. Lillian Cassell came in. Mr. Dixon's sister left for church and I left for church, and we left Mr. Dixon and Mrs. Cassell in there together.

Q Was there anybody else in the house with them?

A No, sir. They were both supposed to come to church later, but neither one of them came to church that night.

Q Was there any opportunity for Mr. Dixon to commit adultery with Mrs. Cassell?

A Yes, sir, there was nobody else in the house

with them, and from the way they acted together I think she would have let him have sexual relations with her. I often passed notes to Mr. Dixon from Mrs. Cassell, but they weren't seen together often in public.

Q She is a married woman?

A Yes.

Q Does Mr. Dixon still go with her?

A Not in public, but they go together very often, because I see them often. He generally meets her at a hotel and they get a room together as man and wife.

Q Since the plaintiff, Mrs. Dixon, found out that her husband was guilty of adultery with this Mrs. Cassell, has she ever lived or cohabited with him?

A No, sir.

Q Has she forgiven or condoned his offense in any way since she learned of it?

A No, sir.

Q You have stated that Mr. Dixon and this Cassell woman were seen often together and that he met her at a hotel. Do you know where the hotel is located?

A On Paca Street, 515 Paca Street.

Q What did they do when they went there?

A They registered as man and wife, as out of town.

Q What is the reputation of this hotel?

A Anyone who wants a room can get it, but they have to

register.

Q Do you know whether Dixon and this Cassell woman had a child?

A I never seen it but I heard it. I know that she was due to have one.

Q From general representation who was supposed to be the father of that child?

A Dixon.

Q Do you see Dixon often?

A I seen him every Thursday and Sunday.

Q Where does he live?

A In the 800 block of Carey Street; I dont know the number. He lives in Mrs. Mason's house; she is Mrs. Cassell's mother, and Mrs. Cassell lives there too.

Q Is Mrs. Cassell's husband there?

A No.

Q Mrs. Mason does not run a general rooming and lodging house?

A No, not as I know of.

Q How often have you seen him at the hotel?

A They make it once a week at this hotel to my knowledge.

Q How long have they been doing this?

A It started in March, 1925. Him and I were very good friends before, and I talked to him and tried to

prevent such actions. He didn't want to discuss the matter--
he seemed to feel that I had nothing to do with it.

Q You all attend the same church, do you not?

A Yes.

Q When you spoke to him did he deny going to
this hotel?

A No, he did not deny it at all.

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.

Louis E. Martin

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

A. de Russy Sappington (SEAL).
Examiner.

There are no..... Exhibits with these depositions, to wit:
Plaintiff's..... Exhibit.....

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

A. de Russy 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 Russy Sappington
Examiner.

Hold for Deposition

18
1926

Circuit Court

Docket B66

Marion Dixon

vs.

Daniel Dixon

SUBMISSION FOR DECREE.

Mr. Clerk,
Please file,

Davis Evans

Solicitor & for Plaintiff.

No. B 30296
87

Filed 1 June 1926

Circuit Court

18
1926

Docket No. 866

Marion Dixon

vs.

Daniel Dixon

Order of Reference
and Report

Lyons
Sign

No. B30296
(9)

Order Filed 1 day of June 1926
Report Filed 7 day of Dec 1926

Marion Dixon
vs.
Daniel Dixon

IN THE
Circuit Court
OF
BALTIMORE CITY

May Term, 1926

This case being submitted, without argument, it is ordered by the Court, this 1st day of June, 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.

James P. Gorter

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the wife against her husband on the ground of adultery. Code Art. 16, Sec. 37-42.
Defendant summoned and answered.
Plaintiff's residence in Baltimore City for more than two years prior to the filing of the bill proven.
The marriage proven.
Adultery proven.
Case submitted for decree and 41st General Equity Rule waived.
Thirty days have elapsed since the filing of the bill.
Case ready for decree.

November 17, 1926 William P. Lyons
Auditor and Master

11
CIRCUIT COURT

B 18
1926 No. Docket

MARION DIXON

VS.

DANIEL DIXON

Recorded

Folio 323 1926

Decree of Divorce

B No. 30296
(10)

FD 7 Dec 1926

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

William Lyons
Auditor and Master.

Circuit Court

OF

BALTIMORE CITY,

November
~~May~~

Term, 1926.

MARION DIXON

VS.

DANIEL DIXON

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

It is thereupon, this 7th day of December, A. D. 1926,
by the Circuit Court of Baltimore City, **Adjudged, Ordered and Decreed**, that the said

MARION DIXON,
the above named Complainant be ands he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, DANIEL DIXON;

AND it is further ordered that the name of the Complainant, Marion Dixon, be and the same is hereby changed to Marion Brackett.

And it is Further Ordered, That the said Defendant, Daniel Dixon, pay the cost of this proceeding.

Critchfield