In The Carent Cd. Eleza Meuron 5 Benj, Munson Bill for Divorce a vivieres Uto (Rech please file J. STEWARD DAVIS ATTORNEY AT LAW 18 & LEXINGTON STREET HALTIMORE, MO

Eliza Munson

In The Circuit Court

vs.

of

Benjamin Munson

Baltimore City.

To The Honorable, The Judge of Said Court:

Your Oratrix, complaining, respectfully says:

FIRST, That the parties hereto were married on or about the day of June 1919 by Rev. Norris and lived to gether as man and wife until on or about and well, Said marriage occured in Baltimore City, State of Maryland.

SECOND, That both parties are residents of the city of Baltimore, state of Maryland, and has been for more than two years prior to the filing of this bill of complaint.

THIRD, That though the conduct of Your Oratrix towards her husband has always been kind, affectionate, and above reproach, the respondent without any just cause or reason. He has upon divers times and occasions committed adultery with one lewd woman, whose names are unknown to your oratrix.

FOURTH, That Your Oratrix has never condoned said offense.

FIFTH, That there are no children born as a result of said

marriage: THEREFORE YOUR ORATRIX PRAYS:

a-a A divorce a vinculo matrimonnii from the respondent.
b-b Such other and further releif as the case may require.
WHEREFORE YOUR ORATRIX PRAYS:

That a decree be passed, divorcing Your Oratrix from the respondent, a vinculo matrimonnii.

Such other and further releif as the case may require.

May it please Your Honor to grant unto Your Oratrix a writ of subpoena, directed unto the said respondent, commanding him to be or appear in this Court on some day certain, to be named therein, to perform such decree as may be passed in the premises.

As in duty bound etc.

Complement been mark

Solicitor for Complainant.

8:23 Ct. Ct. 191 Docket No. SUBPOENA TO ANSWER BILL OF COMPLAINT No. SOLICITOR

EQUITY SUBPOENA

The State of Maryland

Un

Terjamin Minson

of Baltimore City, Greeting:

WE COMMAND AND ENJOIN YOU, that all excuses set aside, you be in your person before the Circuit Court of Baltimore City, at the Court House in said City, on the second Monday of amuany 1920, to answer the complaint of

against you in said Court exhibited.

HEREOF fail not, as you will answer the contrary at your peril:

WITNESS, the honorable MORRIS A. SOPER, Chief Judge of the Supreme Bench of

Baltimore City, the

Issued the

day of November 1919
day of December in the year 1919

Notice to the person summoned:

"Personal attendance in Court on the day named in the above writ is not required; but unless within such number of days thereafter as the law limits, degal defence is made in the above mentioned suit a Judgment by default may be entered against you.'

of Baltimon Kity Benjamin munom m. Clun: Phosph

3/12/12/29

Iliza Munson (
) In The

us. (
Circuit Court of Baltimore City.

Perjamin Munson.

To the Honorable, the Judge of said Court:

The answer of your respondent to to the bill of complaint filed and exhibited in this Court by the plaintiff hereto respectfully says:-

- I. That the marriage $_{\Lambda}$ admitted as alleged by the rlaintiff in her bill of complaint.
- 2. Your respondent also admits that there are no children born to the rarties as a result of said marriage.
- 3. Your respondent also and further admits that both parties are residents of the City of Baltimore, State of Maryland, and have been for more than two years prior to the filing of her said bill.
- 4. Your respondent with great respect denies the allegation of adultery as alleged and ruts the plaintiff on her strictest legal proof.

Having answered all the material allegations and in due time your respondent grays that the bill may be hence dismissed with the attending costs.

And as in duty bound.

Elas Com.
Solicitor for the Respondent.

191 9 BJ Docket No.
191 Docket No.
Eliza Musan
;
Bon, Meulth
GENERAL REPLICATION
Mr. Clerk, Please file,
(Fine Caus
Solicitor for Plaintiff.
No. (4) Filed 29 Dec 191 9

Eliza Munson Beng. Minnson	In the CIRCUIT COURT of Baltimore City Sept
dé fou dans	The Plaintiff join issue on the matters alleged in the answer of
so far as the same may be taken	to deny or avoid the allegations of the bill
so far as the same may be taken	Solicitor for Plaintiff.

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19 q N Docket No.

Eleza Menman

Benj. Mum on

Order

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Petition for leave to take
Testimony and Order

o Court thereon.

(5)

Fd M De

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Eleza Munson	
	IN THE
US ₊	Circuit Court
Boy. Muman	OF
	BALTIMORE CITY

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

THE PETITION OF

CLEYER

THE PETITION OF

in this case, respectfully shows that cleave be granted to do so before one of the Standing Examiners of this Court.

Solicitor for

ORDERED, this 29" day of Occurbe 1919, 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 O. Gorler

Eliza	Munson
	VS
Benja	min Munson
DEPOSITIONS	
B No.	20357
PLAIN	VTIFF'S COSTS
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Examiner	\$
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Eliza Munson	In the Circuit Court
VS.	
Benjamin Muns o n	OF BALTIMORE CITY
The above entitled	cause being at issue
and notice having been given me by	the Solicitor for the Plaintiff
of a desire to take testimony in the	ne same, I, ALFRED J. CARR, 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
d	ay of <u>December</u> 19 <u>19</u> , met on
	January in the year nineteen
hundred and twenty at 1	my office, in the City of Baltimore, in the State
of Maryland, and assigned the	5th day of January
in the same year at three	o'clock in the <u>after</u> noon and the
office of the Examiner,	in the City and State
aforesaid, as the time and place for	or 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 Solicitors of the
respective parties	to take the following deposition, that

ELIZA MUNSON, the Plaintiff, produced as a witness on her own behalf, being duly sworn, deposeth and saith as follows- that is to say-

BY THE EXAMINER:

- 1 Q- State your name, residence and occupation?
- A- Eliza Munson, 226 N. Central Ave., Baltimore; house-work.
 - 2 Q- Do you know the parties to this suit?
 - A- I am the Plaintiff and the Defendant, Benjamin Munson, is my husband.

BY MR. DAVIS:

- 3 Q- When, where and by whom were you married?
- A 18th day of June, 1918, in the City of Baltimore, State of Maryland, by the Rev. Mr. Norris, of Waters Methodist church.
- 4 Q- Have or not you and your husband been residents of the City of Baltimore, State of Maryland for at least two years prior to December, 1919?
- A- I have always lived here, and he is now living in Baltimore.
- 5 Q- Any children born of this marriage?
- A- No sir.
- 6 Q- What was your treatment and conduct towards your husband during the whole of your married life?
- A- Above reproach, kind and affectionate, did my duty.

Eliza Munson.

- 7 Q- Are you and your husband now living together, and if not. which one left the other?
- A- No, he left me, because I am right at the same house yet- August 20th, 1919.
- 8. Q- In your bill of complaint you have charged that on divers times and occasions, your husband, Benjamin Munson, has been guilty of adultery, prior to the filing of your bill, what knowledge have you material to that charge?
- A- This Susie, the one that he lived with as man and wife before I married him- four years, I think, he said. He told me the morning that we had words, he didn't want me no how, because my hair was too short, and he could go right back to this Susie if he wanted to, and I told him to go back. He said he had a room at Lula's house.
- 9 Q- Do you know Miss Lula, do you know her last name?

 A- No, I just know her when I see her.
- 10 Q- What is the reputation of her house?
- A- I only heard she had a good time house.
- 11 Q When you say good time house, you mean a house where you buy drinks and rent a room?
- A- I used to see lots of company in there sitting down, likes of that.
- 12 Q- Did your husband ever make any other statements to you about his relations with any other woman than Susie?

 A- Only, he could go back with her.

Eliza Munson.

- 13 Q- Do you know anything about a woman named Sallie?
- A- Only, no more than him and her said, they were company for one another.
- 14 Q- You don't know of any of the places he met her?
- A He used to go to see her at Mame Harris', on Mullikin St.
- 15 Q- Do you know Mame Harris?
- A- Yes sir.
- 16 Q- Do you know what the reputation of her house is?
- A- I couldn't say that.
- 17 Q- What do you think goes on there?
- A- No more, I guess, she rents rooms to different parties, to roomers. The people say that she rents rooms to couples who can stay one night or shorter or longer.
- 18 Q- Since you discovered your husband's adulteries, have you lived with or cohabited with him?
- A- No sir.
- 19 Q- Have you in any way forgiven or condoned his offences?
- A- No sir.

Mr Jackson: No Cross Examination.

Question by the Examiner:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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 Answer: No. Eliza X Munson

Lest Spul floan

MARY LOMAX, a witness produced on behalf of the Plaintiff, being duly sworn, deposeth and saith as follows-that is to say-

BY THE EXAMINER:

1 Q- State your name, residence and occupation?

A- Mary Lomax, 312 N. Central Ave., housework.

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

A- Yes.

BY MR. DAVIS:

3 Q- Are they or not man and wife and if you say they are tell me how you know it?

A- They are man and wife. I didn't see them married, but I know they were married, and I know they lived together as man and wife, and their general reputation from the people that knew them was they were man and wife.

4 Q- Any children?

A- No sir.

5 Q- How did Mrs. Munson treat her husband?

A- -- As a wife, as far as I know of, she couldn't treated him any better, she is a decent, respectable woman.

6 Q- How did he treat her?

A- Not like a man should treat a wife; wanted to walk in and be boss over her things, and didn't give her support as he ought to.

7 Q- Are they living together now? A- No indeed.

- 8 Q- When did they separate and which left the other?
- A- He left sometime in the month of August, 1919.
- 9 Q- Has or not these parties been residents of the City of Baltimore, State of Maryland for more than two years?
- A- She has been here all her life, I guess he has been here more than two years.
- 10 Q- In the bill she charges him with adultery, what do you know about that?
- A- As far as I seen him with this Susie and Lula standing on her steps.
- ll Q Did he or not live with a woman by the name of Susie as man and wife, before he married the plaintiff in this case?
- A- So I learned.
- 12 Q- Where did they live?
- A- Mullikin St.
- 13 Q- Do you know a woman by the name of Lula.?
- A- Yes sir.
- 14 Q- Where does Lula live?
- A- Lived on Orleans St.
- 15 Q- Do you know her last name?
- A- No.
- 16 Q- Do you know whether or not he had a room at Lula's house after he married Mrs. Munson?
- A- I really couldn't tell yout.

- 1? Q- What is the reputation of Lula's house?
- A- No more than they have a good time; people go sit and laugh and talk and drink.
- 18 Q- Is her reputation good or bad? Bid she or not live at that house with a man?
- A- Yes sir, so they say.
- 19 Q- Who was this man she lived with?
- A- I used to know his name, I am not acquainted with him as much as her.
- 20_Q Do you know anything about her having relations with a man named Clayton?
- A- I know she lived with him.
- 21 Q- Is that the name of the man that she lived with on Orleans St. ?
- A- Yes sir, kept a store.
- 22 Q- At that time you passed and saw Mr. Munson pass and talking to this Susie?
- A- Yes.
- 23 Q- Tell what you saw then?
- A- Seen him standing on the step and seen Lula and Susie standing on the step and him standing on the ground, smoking.
- 24 Q- What time of the night was this?
- A- About eight o'clock in the night. I was coming from work.
- 25 Q- He ordered some coal, tell what you know about that?

- A- He came to our house, the coal yard man come down to our house to get our little boy to carry five bushels of coal out in Dallas St., where he had a room. He didn't tell us exactly the number, said he didn't want it carried around Mullikin St. to his wife.
- 26 Q- Who did he mean by his wife on Mullikin St.?
- A- Susie. He wanted it carried to Dallas St., he wanted to make that a present to the lady he roomed with. My boy didn't take it because he wasn't home.
- 27 Q- Do you know this Sallie?
- A- I know of her.
- 28 Q- Do you know that he used to go with Sallie? Do you know whether or not he met Sallie at Mame Harris' house?
- A- I don't know any more than I heard Miss Meme and Miss Eliza speaking about him running with Sallie, because she said she didn't think it was right she should let him come there.
- 29 Q- What is the reputation of this Mame Harris?
- A- Her husband is dead.
- 30 Q- Is she living with another man?
- A- Not that I know of.
- 31 Q- Is the reputation of her house good or bad?
- A- Not so very good;
- 33 Q- As Mrs. Munson said before, is it a house you can get rooms there?
- A- Yes sir.

34 Q- A man and woman can get a room there?

A- I wouldn't exactly say a bad house, because she has got children.

Mr. Jackson: No Cross Examination.

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Question by the Examiner:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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.

Answer: No May Zomas

The taking of testimony was then adjourned to the 8th day of January, 1920, at 1:30 o'clock in the afternoon, and at the office of the Examiner, at which last mentioned time and place I attended and due notice of such meeting having been given and in the presence of the Solicitor for the Plaintiff, proceeded to take the following depositions, that is to say-

SIMON EVANS, a witness produced on behalf of the Plaintiff, being duly sworn, deposeth and saith as follows-that is to say-

BY THE EXAMINER:

- 1 Q- State your name, residence and occupation?
- A- Simon Evans, 1221 Mullikin St., fireman at the Chemical Co., St. Helena.
- 2 Q- Do you know Eliza Munosn?
- A- Yes sir, about two years.
- 3 Q- Do you know Benjamin Munson?
- A- Yes sir, about the same time.

BY MR. DAVIS:

- 4 Q- Have or not these parties, to your knowledge, lived in Baltimore City, State of Maryland for over two years?
- A- She was raised and born here, so she told me, and he has been here ever since I have known him, sure.
- 5 Q- Do you know whether they are man and wife?
- A- They are supposed to be married, they both admitted

Simon Evans.

to me that they were married, people know them as man and wife.

- 6 Q- In the bill of complaint the plaintiff charges her husband with having been guilty of adultery, what knowledge have you of that?
- A- I knew of him, he went with a woman by the name of Susie before he was married and living with her, I don't know anything about his living with Susie since he was married, but I know he was a visitor to Mame Harris' house.
- I lived in Mame Harris' house at the time.
- 7 Q Who did he come there to see?
- A- He didn't come there to see no one as I know of.
- 8 Q- On these occasions you saw him at Mame Harris' house was the girl, Susie, you speak of there?
- A- I think I seen her there once.
- 9 Q- Who lives in that house besides the woman Harris, and yourself?
- A- There is only one man and wife living there, a woman named Sallie, and the man named George, they occupied the third story, middle room.
- 10 Q- Who else occupies rooms on the third floor?
- A- I occupy the front room and my friend, James Boyer, occupies the third room back.
- 11 Q How many rooms on the second floor?
- A- Only two rooms and the bath room, then the parlor

Simon Evans.

dining room and kitchen on the first floor.

- 12 Q- Mrs. Harris, she occupies all the house except the upper floor?
- A- Except those three rooms upstairs.
- 13 Q- She rents them out to you people?
- A- Yes sir.
- 14 Q- Do you see men and women there from time to time?
- A- No, she don't have no company there at all.
- 15 Q- People come and go there?
- A- Yes sir.
- 16 Q- How many times have you seen this woman, you call Susie, at Mrs. Harris' house?
- A- I have seen her there several times.
- 17 Q- Would Munson be there?
- A- Not all the times, I haven't seen him and her there together but once.
- 18 Q- He was not there all the time?
- A- No.
- 19 Q- But you recall the fact the two were there?
- A- Yes, not up the stairs, we were all sitting in the dining room laughing and talking.
- 20 Q- You are positive that Munson lived with this woman Susie before they were married?
- A- According to this woman's testimony and Miss Liza's testimony, according to everybody around in that section.

Mr Jackson: No Cross Examination. Question by the Examiner:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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.

Answer: 2 Junion Evans

The taking of testimony was then adjourned to the 30th day of Morch, 1920, at 20'clock in the afternoon, and at the office of the Examiner, at which last mentioned time and place I attended and due notice of such meeting having been given and in the presence of the Solicitor for the Plaintiff, proceeded to take the following depositions, that is to say:-

JAMES WOOTEN, a witness produced on behalf of the Plaintiff, being duly sworn, deposeth and saith as follows;

BY THE EXAMINER:

- 1Q. state your name, residence and occupation.
- A- James Wooten, 1221 Mulliken Street, Baltimore, Md., and I am employed as a laborer at Sparrows Point, Md..
- 2Q. The parties to this suit are Eliza Munson and Benjamin Munson, do you know them?
- A- I know both of them for over two years.

 BY MR. DAVIS:
- 3Q. You have known Mr. Benjamin Munson all of this time, have you?
- A- Yes.
- 49. In the bill of complaint, Mrs. Munson charges her husband with having committed adultery, prior to December,
- 1919. Do you know anything about it?
- A- I know he has been guilty of adultery.
- 50. Tell me kow you know it.

- I lived at 1238 Orleans Street, City, and there was a voman by the name of Suzie, and she was a visitor to that house, and I know Mr. Munson used to come there to see her.

 60. When was it that you lived in that house, and Mr.

 Munson came there to meet this woman Suzie?
- A- I lived there some time in the month of September,

 1919. Benjamin Munson visited that house and met Suzie there.

 They met there at different hours of the day and night, and

 I know he came there to see her during the months of September and all way up to Christmas.
- 70. What time of the night did you find them together?
- A- At twelve o'clock, and also in the early morning.
- 80. About what time?
- A- Before seven o'clock, when I used to go to work.
- 9Q. Do I understand you to testify that you have seen them there at night before you went to bed?
- A- Yes.
- 100. When you came down the next morning to go to work, you found them there in the dining room about seven o'clock in the morning?
- A- Yes.
- 110. Is that true?
- A- Yes, it is true.
- 120. How often did that occur?
- A- Sometimes once a week, and sometimes twice a week.

- 139. Where do you live now?
- A- At Mrs. Hamie Horris's house, 1221 Mulliken Street.
- 14Q. Do you know of his having anything to do with any other women at any other place?
- A- I have known thim to go and rent a room and go up to a room with a woman.
- 150. Where did he rent these rooms?
- A- At the house where I live now.
- 16Q. How often has he had women in rooms at the house where you lived?
- A- I caught him there over three times.
- 170. What kind of a room did he rent and take a woman to in the house you now live in, three times, to your knowledge?
- A- A bed-room.
- 180. How long did they remain in that room, if you know?
- A- I have known them to be together more than an hour at a time.
- 19Q- Do you know of any other house?
- A- I only know of the two houses in which I lived, one on Orleans Street, and one on Mulliken Street.
- 300. When was the last time that you knew of him having a woman in a bed-room?
- A- The last time was a little before Christmas, 1919.

- 210. To your knowledge, his having a woman in bed-rooms as you described began in September, 1919, and ended in December, 1919, before Christmas. Is that right?
- A- Yes, it is right.
- 227. Have you ever talked to him about his going with other women?
- A- No. He was just a friend of mine, but we never talked of his going with women.
- 230. Do you know his wife?
- A- Yes, I do.
- 240. The woman that he had in that Mulliken Street house, and the Orleans Street house, were either of them his wife? A-1. No, sir.
- 250. How many different women did you know of his being with?
- A- Only two, the woman they call Zuzie, and the other woman, whose name I have never heard.
- 26Q. Do I understand you to say that you and he never talked about himself and the women?
- A- We were friends and I knew what he was doing, and he knew that I knew what he was doing, but I did not attempt to interfere with his affairs, neither did he interfere with me and my affairs.
- 27Q. When was the last time you saw Benjamin Hunson?

A- That last time that I saw Benjamin Munson was about a week before Christmas, 1919. He was at the house with a woman drinking beer. I have not seen him since.

Mr Jackson: No Cross Examination.

Question by the Examiner:

Do you know or can you state any other matter or thing that may be of benefit or advantage to 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.

James Wooden men

Answer:

no

Test:

No other witnesses being named or produced before me, I then, at the request
of the solicitors of the respective parties
closed the depositions taken in said cause, and now return them closed under my
hand and seal, on thisday of
in the year of our Lord nineteen hundred
and twenty at the City of Baltimore in the State of Maryland.
Alfred Lan Seali Examiner.
Examiner.
There are no Exhibits with these depositions, to wit:
Plaintiff'sExhibit
Defendant'sExhibit
Ached I land
Examiner.
I, ALFRED J. CARR, 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 3-1/2 days, on all
of which I was employed by the plaintiff, and on none
by the defendant
by the derendant.
Examiner.

gv C	ircuit Court
19 1 a Do	cket No
Mey Mun	≈01
vs.	
Banginan	Muison
SUBMISSION FO	OR DECREE.
Mr. Clerk, Please file, Soli	citor for Plaintiff.
Filed 16 MM	W im

Eleza Muison	
	In the Circuit Court
Benjaman Munson	of Baltimore City
To the Honorable	
	udge of Said Court:
decree and the 43rd General Equity	The above cause is respectfully submitted for Rule is hereby waived. Solicitor for Plaintiff,
	Solicitor for Defendant.

823 8V3
Docket No.

Mussar

Munson

Order of Reference.

362357 (8)

Filed 16 day of Oppue 1990

IN THE

BALTIMORE CITY

This case being submitted, without argument, it is ordered by the Court, this

19W, that the same be and is hereby referred to Would BCO

Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the wife against her husband on the ground of adultery. Code 1911, Art. 16, secs. 36-41.

Defendant summoned and answers by solicitor.

Plaintiff's residence in Baltimore City for more than two years proven.

The marriage proven.

The adultery proven.

More than thirty days have elapsed since the filing of the bill.

Case submitted and ready for decree.

Fee \$9 paid.

'April 19th, 1920.

my	Circuit Court
19 19	Docket No
50 m	114000
	www.
\	vs.
Bourne	un Maison
SUBMISSION	I FOR DECREE.
Mr. Clerk,	
Please file,	
Please file,	ani
Please file,	Solicitor for Plaintiff.

VA TO

Eleza Munson Vs. Bluginan Munson	In the Circuit Court of Baltimore City
To the Honorable	TERM 1920
decree and the 43rd General Equity Ri	The above cause is respectfully submitted for ule is hereby waived. Solicitor for Plaintiff,
_	Solicitor for Defendant.

823 8V3
Docket No.

Mussar

Muson

Order of Reference.

367 (8)

Filed 16 day of Opine 1977

Mya Musson

IN THE

CIRCUIT COURT

OF

BALTIMORE CITY

March Term, 19%

This case being submitted, without argument, it is ordered by the Court, this 1910, that the same be and is hereby referred to Would Below

day of

Esc

Auditor and Master, to report the pleadings and the facts, and his opinion thereon.

Report of Auditor and Master

Bill for divorce a vinculo matrimonii filed by the wife against her husband on the ground of adultery. Code 1911, Art. 16, secs. 36-41.

Defendant summoned and answers by solicitor.

Plaintiff's residence in Baltimore City for more than two years proven.

The marriage proven.

The adultery proven.

More than thirty days have elapsed since the filing of the bill.

Case submitted and ready for decree.

Auditor and Master.

Fee \$9 paid.

April 19th. 1920.

CIRCUIT COURT

B-823-

1919.

No. 59 Docket

ELIZA MUNSON

VS.

BENJAMIN MUNSON

Decree of Divorce

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

ELIZA MUNSON	Circuit Court
VS.	OF BALTIMORE CITY
BENJAMIN MUNSON	Term, 19.2.0
Court read and considered. It is thereupon, this day by the Circuit Court of Baltimore City, Adjudged	ay of A. D.1920. Ordered and Decreed, that the said
the above named Complainant be and She is hereby I Defendant, the said Benjamin Munson.	DIVORCED A VINCULO MATRIMONII from the
	-
And it is further Ordered, That the said def pay the cost of this proceeding.	endant J. J. Mauhm