

In The Circuit Court
B 56
Baltimore City

Marion Waters

vs

Willis Waters

Brief for Defense & U. Costs

Mr. Clerk please file

Wm. J. Davis

B 22103

517

DAVIS & BISHOP
ATTORNEYS AT LAW
178 E. BRINGTON STREET
BALTIMORE, MD.

Ad 1 July 1921

Marion Waters

In The Circuit Court

vs.

of

Wilbur H. Waters

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 April 24th. 1912 by a minister of the gospel of Baltimore City, Maryland and lived together as man and wife until on or about May 17th. 1914. Said marriage occurred in Baltimore City, State of Maryland.

SECOND, 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 this bill of complaint.

THIRD, That though the conduct of your oratrix toward her husband has always been kind, affectionate and above reproach, the said defendant was subject to fits of temper which made the existence of your oratrix impossible at the place of their abode; that said fits of temper and said unpleasuries were induced by the respondent's mother who continually interfered with your oratrix's relation with the said defendant; that upon protesting to the defendant; the said defendant told your oratrix to leave their place of abode and said defendant has continually refused to live with your oratrix as man and wife; that said desertion has continued uninterruptedly for more than three years prior to the filing of this bill of complaint. That the said defendant has declared his intentions to live no longer with your oratrix, That the said separation of the parties ^{is} ~~are~~ beyond any reasonable hope or expectation of reconciliation.

FOURTH, That your oratrix has never condoned nor forgiven the said desertion, that she has never cohabited with the said respondent since the desertion.

FIFTH, that there is one child, Raymond, born as a result of their marriage; age seven years.

SIXTH, that the defendant is employed as a clerk in the Baltimore City Post-Office and as a clerk earns

\$1500 a year. That your oratrix is without means with which to defray the expenses of this litigation; that she is advised by counsel that she is entitled to have an order passed by this Honorable Court awarding her a sum certain as alimony during the progress of this suit and a further sum to compensate her solicitor for his services in the cause.

WHEREFORE YOUR ORATRIX PRAYS:

- a-a A divorce A Vinculo Matrimonii.
- b-b Care and custody of the minor child.
- c-c Alimony Pendite Lite, and counsel fee.
- d-d Permanent alimony for minor child.
- e-e Permission to resume maiden name of Breckenridge.

Marion Waters
Complainant

C. B. Jones
Attorney For Complainant.

State of Maryland }
Baltimore City } To Wit:

I hereby certify that on this ^{29th} day of ^{January 1921} 1920, before me the subscriber, a notary Public in and for Baltimore City, State of Maryland, personally appeared Marion Waters, the complainant in the foregoing bill and made oath in due form of law that the matter contained in the same was true to the best of her knowledge and belief.

C. B. Jones
Notary Public.



192 1 Docket No.

56 481
B61

Ct. Ct.

Waters

Waters

1356 Whatcoat St

SUBPOENA TO ANSWER BILL OF COMPLAINT

Pro

No.

B 22 10 W

(3)

Filed

J. S. Davis SOLICITOR
9 July 192 1

14

Summed, and a copy of the Process, left
with the defendant.
Thomas F. McQuilly
Sheriff
(Shoncton) 7/8/21
Juno 10.82

EQUITY SUBPOENA

The State of Maryland

To

Malcolm H Waters

1356 Watercoat 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 February next cause an appearance to be entered for you and your answer to be filed to the complaint of

Marian Waters

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 MORRIS A. SOPER, Chief Judge of the Supreme Bench of Baltimore City, the 10 day of January 1921

Issued the 1 day of February in the year 1921

Clark 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.)

61 **B** Docket *56*
1921

CIRCUIT COURT

Waters

vs.
Waters
H. S. Watercoat

Order For Alimony
Pendente Lite

ORDER

B 22102
B No. *(3)*

1 child
\$35 a wk

Fd: *2 Feby 1921*

14

Copy of the within Order of Court, served on Wilbur. W. Waters, on the 8th day of February, 1921, in the presence of George S. Skounton, Thomas W. McCullough, Sheriff.

Fee \$0.50

Marion Waters

vs.

Walter H Waters

IN THE
CIRCUIT COURT
OF
BALTIMORE CITY

Jan TERM, 1921

ORDERED BY THE COURT this 2nd day of February 1921

that the defendant Walter H Waters
pay to the plaintiff Marion Waters

the sum of Fifteen

Dollars per week, during the continuance of this suit, accounting from the 2
day of February 1921 to the said plaintiff Marion Waters

as alimony, *pendente lite* unless cause to the contrary be shown on or before the 17
day of February 1921 provided a copy of this Order be served on the said defendant

Walter H Waters on or before the 11
day of February 1921

Charles H. Hunsler

TRUE COPY—TEST:

CLERK

IN THE
CIRCUIT COURT *B 56*
BALTIMORE MARYLAND *1921*

MARION WATERS

Vs.

WILBUR H. WATERS

32
ANSWER.

Mr. Clerk: Please file.

J. Howard Payne
Sol. for Respondent.

B 22102
(4)

J. HOWARD PAYNE
ATTORNEY AND COUNSELOR AT LAW
514 5th and 8th
~~1006 LYDEN AVENUE~~
BALTIMORE, MD.

Filed July 1921

Marion Waters : In The
Vs. : Circuit Court
Wilbur H. Waters : Baltimore, Maryland.

To The Honorable, The Judge of said Court;

The answer of Wilbur H. Waters to the petition of Marion Waters dated the 29th day of January 1921 and filed in the above entitled cause respectfully shows:

First; He admits that the allegations in the first and second paragraphs in said petition are true.

Second; He most emphatically denies the allegation contained in the third paragraph of said bill and to the contrary says that the petitioner in this case abandoned and deserted him and declared her intentions to live with him no more and he gave her no reason whatever for her act. He most respectfully admits, however, that the separation has continued uninterruptedly for some years.

Third; That he has been contributing regularly to the support of his son Raymond, age seven years.

Fourth; That he is financially unable to comply with the order of said Court to pay the said Marion Waters the sum of \$ 15.00 per. week for the reason that his salary, as set out in paragraph six of the petition, is materially reduced because of personal expenditures for board; lodging; insurance and other necessaries; thereby reducing the amount of his income to about \$ 5.00 per. week.

Fifth; That he has not been able to accumulate any money and is at present without funds and is therefore unable to pay any counsel fees as requested in said bill.

Having answered all the material allegations of the petitioner's bill your respondent prays the court that the said bill be dismissed.

And in duty bound he will ever pray;

Wilbur H. Waters

Respondent.

J. Howard Payne
Solicitor for Respondent.

State of Maryland, Baltimore City, To Wit:

I hereby certify that on this 17th day of February - 1921
before me, the subscriber, a Notary Public of the State of
Maryland, in and for Baltimore City aforesaid, personally -
appeared the above named petitioner and made oath, in due form
of Law, that matters and facts in the foregoing petition are
true to the best of ^{his} ~~her~~ knowledge and belief.

Witness my hand and Notarial Seal.

Annie E. Anderson

Notary Public.

J. Steward Davis

18

56 ⁵² B61 Ct. Ct.
1921 No. Docket

Marion Waters

vs.

Urbur Waters

MOTION FOR HEARING

B 22102

No. 157

Howard Payne

Filed 19 day of July 1921

Marion Waters

VS.

Wilbur Waters

IN THE
CIRCUIT COURT

OF

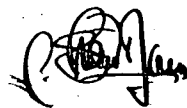
BALTIMORE CITY

The plaintiff by J. Steward Davis

her Solicitor, applies to have the above entitled cause placed on the Trial Calendar

for hearing on alimony & counsel fee

in conformity with the First Equity Rule.



Solicitor for

plaintiff

Serve on

J. Howard Payne

517 S X P

Sol.

56

19 21 No.

Ct. Ct.

Docket.

Marion Waters

vs.

Wilbur Waters

NOTICE OF HEARING

No. B 22102
6

No.

Filed 1 day of March 19 21

Copy of the within Notice served on Howard Payne
Solicitor on the 5th day of March 1920 in presence
of Harry B. Gray Thomas E. McNulty
Deos \$ 0.50 Sheriff

CIRCUIT COURT OF BALTIMORE CITY

MARION WATERS
VS.
WILBUR WATERS

IN THE
CIRCUIT COURT
OF BALTIMORE CITY

Upon application made by the Solicitor for the Plaintiff

.....

the above entitled cause has been placed upon the trial Calendar
in accordance with the provisions of the First Equity Rule, and
the same will stand for hearing on Alimony and counsel fee

.....

.....

when reached in due course on the said calendar.

CHARLES R. WHITEFORD,

Clerk Circuit Court.

CIRCUIT COURT

56
1921 661 Docket No.

Marion Waters

vs.

Webb Waters

Order 56 19

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

Jan 13
No. 22102

<7>

Fd. 17 March 1921

Mareon Waters
vs.
Walter Waters

IN THE
Circuit Court
OF
BALTIMORE CITY

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

THE PETITION OF Mareon Waters

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

[Signature]
Solicitor for Plaintiff

ORDERED, this 19 day of March 1921, 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.

[Signature]

Doc. B 56
1921

3/12/14/21

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Marion Waters

vs.

Wilbur Walters

No. 22102B

PLAINTIFF'S COSTS

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

DEFENDANT'S COSTS

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

fd 29 March 1921

Marion Waters

vs.

Wilbur Walters

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
seventeenth day of March 1921, met on
the seventeenth day of March in the year nineteen
hundred and twenty-one 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 afternoon and the
office of J. Steward 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:—

8-2

1

Marian Waters,

v.

Wilbur Waters.

Testimony taken at the office of Messrs Bishop and Davis, Pleasant Street, Baltimore, Maryland, March 18th., 1921, at 3 O'clock P. M.

MARION WATERS, the Plaintiff in this case, produced on her own behalf, having been first duly sworn, deposes and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A. Marion Waters, 1901 McCulloch Street; house wife.

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

A. I am the Plaintiff and my husband is the Defendant.

BY MR. DAVIS:

1 Q. When were you married?

A. April 24th., 1912.

2 Q. By a Minister of the Gospel?

A. Yes.

3 Q. Do you remember his name?

A. The Reverend Harvey Johnson.

4 Q. You and your husband lived together as husband and wife until May 17th., 1914?

A. Yes.

Marion Waters.

A. Yes.

5 Q. You were married in Baltimore, Maryland?

A. Yes.

6 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; all my life.

6 Q. And your husband has been a resident of Baltimore City, State of Maryland, for more than two years prior to the filing of this suit?

A. Yes.

8 Q. Your conduct towards your husband: Was it that of a kind, affectionate and true wife towards him?

A. Yes; as far as I could be.

8 Q. You were always true to him?

A. Yes.

9 Q. And faithful to him?

A. Yes.

10 Q. There was a separation on May 17th., 1914?

A. Yes.

11 Q. With whom did you live at the time of the separation?

Marion Waters.

A. We lived with his mother.

12 Q. Did you have any talk with the mother.

A. Yes; she caused a good bit of the trouble.

13 Q. Why? How?

A. In the first place she was a trouble maker; she would interfere in everything. One instance that I remember was,- Once he asked me to make him bread, and I asked him what sort of bread should I make, and he gave a sort of half way answer, and I did not think that it would make any difference to him, and I said "I will make biscuits" and he said "I do not know; I might like white bread", and I made up the biscuits and right after that his mother made up white bread, and I went and put the biscuits on the table that I had made, and his mother went and set down the white bread that she had made, and said that he did not like biscuits, and he ate the white bread, and she always interfered with the baby; she always interfered with the baby and about the way that I did.

14 Q. What did she say about the work?

A. She would not say how I worked around the house or not, only she would interfere; I remember once,- I had a lady with me once, and she even interfered with

Marion Waters.

the lady.

15 Q: Tell about her interference between you and your husband; did she ever follow you into your bed room, and have anything to say about your affairs?

A. She would come in while we were talking, and sometimes she would not say anything and sometimes she would, and sometimes she would swing around and slam the door and go on out.

16 Q. What trouble did you have about some pictures once

A. Well, in the first place, I did not care for so many pictures about the house, and she was a person that had a lot of real old things of her own,- a lot of old pictures, and she asked me if I cared whether she hung a few pictures, and I said no, that I did not, if she did not hang too many, and I went out, and when I came back she had covered the walls with a lot of old pictures; she had the place full of pictures, and I asked her what it meant by putting up all of those old pictures on the wall, and she said that it was her son's place, and she could hang all the pictures if she wanted.

17 Q. What did she tell your son about your going out.

Marion Waters.

A. She said that I would go out and stay until two and three O'clock in the morning.

18 Q. Did your husband tell you about that?

A. No sir; only when he would get angry he would say "You go out and stay until two and three O'clock in the morning" and I would say "Who told you that. How could I do that with a young baby; you know that is not so". And afterwards I found out that his mother was the one that told him.

19 Q. Did she interfere with you in taking the baby out when only partly dressed?

A. Yes; sometimes when the baby was dressed not like I would want it for the Street, she would take the baby out unknown to me. One time I left the baby in the house, and I went out in the yard to hang up some clothes, and when I got through I went into the house, and I did not see the baby, and I asked my husband about the baby, and he said that he did not know, that his mother must have taken the baby out, and furthermore I asked the lady next door, and I asked her whether she had seen her or the baby and she said no, and when she came in with the baby I said that the baby was not dressed for the street, and she said in a sneering way "O,

Marion Waters.

you must think his gold, that he has to be dressed just so for the street".

20 Q. Did she ever say anything to you about money?

A. Yes; one time she said that she did not believe in a man giving all of his money to his wife; that a man ought to manage his own affairs, and manage his own account.

21 Q. After this had continued for so long, did you tell him that you would have to leave the house.

A. Yes.

22 Q. Did you tell him way?

A. yes.

22 Q. Did you tell him that it was because of your mother in law?

A. Yes.

23 Q. Did you ask him to set up a separate place of abode for you else where?

A. Yes.

25 Q. Did he refuse?

A. Yes; he said that where ever he went that he was going to have his mother with him.

26 Q.

Marion Waters.

26 Q. What happened when he came home and found you scrubbing the floors?

A. When he came home and found me scrubbing the floor, he said to me "What does this mean" and I said "Nothing; what do you mean" and he said "I thought you were going" and I said "I am going, but I thought that I would scrub the place before I went.

27 Q. I see: You had told him that you would have to leave; that you could not live under the conditions that you were living.

A. Yes.

28 Q. In other words he intimated that he wanted you to go?

A. Yes; and he walked up and down the floor ^{and he said} "It is not necessary for you to do that; Mama can clean the place."

29 Q. He wanted you to leave?

A. Yes.

30 Q. And he was hurrying you?

A. Yes.

31 Q. And while you were moving he came in---

WITNESS INTERRUPTING: Yes; and while I was moving he came in and he said "I have a great mind not to let

Marion Waters.

take that furniture out" and I said "I am going to take it; I have'nt any place to sleep, and I have a right to sleep; I have a right to have a bed to sleep on" and he said "Go on, take it, but you will pay for it".

32 Q. What did your mother do with some of the furniture?

A. What I told you before, when she was taking the pictures and hanging them, and after I moved, afterwards I found out that I did not have all of mine, and she had a great big fuss with me all that day.

33 Q. How often did these quarrels with your mother in law occur?

A. Every other day or every day; it was sometimes every day; just over the smallest trifles; she would quarrel - say, over the ironing or sewing.

34 Q. After you left where did you go to live?

A. With my mother.

35 Q. Did you ask your husband after leaving to set up a home for you some place else?

A. Yes; I wrote to him and spoke about the baby, and I told him that I thought that it was necessary

Marion Waters.

for a child to be reared right, that it was necessary to be with its parents, and I asked him to do this for the child's sake, if not for mine.

36 Q. Did he set up a separate abode from his mother?

A. No sir.

37 Q. Is there any chance of you and your husband making up?

A. No sir.

38 Q. Has this abandonment continued uninterruptedly for at least three years prior to the filing of this suit?

A. Yes.

39 Q. And he has declared his intention never to live with you any longer?

A. Yes; he has.

40 Q. Have you ever condoned or forgiven this desertion?

A. No sir.

41 Q. And there is one child as the result of this marriage?

A. Yes.

42 Q. What is the name of the child?

Mario¹¹ Waters.

A. Raymond.

43 Q. How old.

A. Seven years old.

44 Q. And your husband is employed where?

A. In the Post Office.

45 Q. What is his occupation there?

A. Clerk.

46 Q. What is his salary?

A. Seventeen Hundred.

47 Q. You ask for permanent alimony for the support of the child?

A. Yes.

48 Q. Do you ask for the right to resume the use of your maiden name of Breckenridge.

A. Yes; I do.

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.---

W Marion Waters.

CATHERINE E. HALL, a witness of lawful age,
produced on behalf of the Plaintiff, having been first
duly sworn, deposes and saith as follows, that is to say:

BY THE EXAMINER:

1 Q. State your name residence and occupation?

A Catherine E. Hall, 1208 Druid Hill Avenue; day's
work.

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

A. Yes.

BY MR. DAVIS:

1 Q. You live with her?

A. Yes; I live with her.

2 Q. Were you present at the wedding?

A. No sir; I was not present at the wedding.

3 Q. But they lived in the same house as husband
and wife.

A. Yes.

4 Q. You lived with them for a while.

A. Yes.

5 Q. And you know that their reputation was that of
husband and wife?

A. Yes.

6 Q. And you know that he held her out as his wife?

A. Yes.

Catherine E. Hall.

7 Q. And , of course, you know that they lived so together?

A. Yes.

8 Q. And you understand that the marriage occurred on April 24th., 1912?

A. Yes.

9 Q. And the separation occurred onⁿ May 17th., 1914, you know that.

A. Yes.

10 Q. They were married in Baltimore, Maryland?

A. Yes.

10 Q. And both of the parties to this suit,- Have they been residents of Baltimore City, State of Maryland for at least two years prior to the filing of this suit?

A. Yes.

11 Q. Now, why did Mrs. Waters leave her husband.

A. On account of her mother in law, and his bad treatment.

12 Q. Now, I want you to tell what you know of her mother in law's interference with her business.

A. I lived there with them and she was very disagreeable. At nights when I came home from work

Catherine E. Hall.

Mrs. Waters would come in and cry and say that she would have to leave, and one time she and I went out on the Avenue, and there was some contention about the pictures, and she said that she did not care for so many pictures, and we went on the Avenue to do some shopping, and when we came back to the place her mother in law had covered the walls of the rooms with old pictures, and Mrs. Waters said something to her about it, and she said that it was her son's house, and that she could do as she pleased. She also interfered with Mrs. Waters with the baby, and if Mrs. Waters went to her mother's, she would tell her husband that she stayed out late and all, and she always had a complaint of some kind.

13 Q. Do you know anything about her going into their bed room.

A. Yes, and she sat there may be for an hour to talk, and when he came out he would be disagreeable with his wife, and he would hardly speak to his wife for two or three days.

14 Q. And that would happen after what.

A. After she had gone into the room and had a talk with her son out of Mrs. Waters' presence.

Catherine E. Hall.

15 Q. His mother would but in and interfere?

A. Yes; indeed.

16 Q. Did you hear him say anything about -- Did you hear his mother say anything about her son giving money to his wife.

A. Yes. I heard her say it. She said that she did not believe in a man giving his money to his wife, that he was his own man and should keep his money.

17 Q. That he was his own man and that he should keep his money?

A. Yes.

18 Q. These quarrels were very frequent?

A. Yes; these quarrels were very frequent. One Sunday I came in from my work, and this child (Plaintiff) was getting ready to go to Church, and his mother started to quarrel with her, and I had to put her to bed, she was in such a nervous condition.

19 Q. You had to put Mrs. Waters to bed?

A. Yes; I had to put Mrs. Waters to bed, she got so nervous.

20 Q. Because she got so nervous over the mother in law quarreling.

A. Yes; she got so nervous over her mother in law

Catherine E. Hall.

quarreling that I had to put her to bed.

21 Q. So that you are certain it would have been impossible for Mrs. Waters to have continued to live there any longer?

A. There was'nt any chance at all for her to live there. She could not live with her; there was no chance in the world.

22 Q. Do you know whether she asked him to set up a separate abode

A. Yes indeed; I was sitting right there in the house when she wrote the letter and asked him to do so.

23 Q. But he never did.

A. No sir.

24 Q. He refused?

A. Yes.

25 Q. Has this abandonment continued uninterruptedly for at least three years prior to the filing of this suit?

A. Yes sir.

26 Q. And has he declared his intention never to live with his wife again?

A. Yes.

Catherine B. Hall.

27 Q. Is there any hope or expectation of a reconciliation between them?

A. No sir.

28 Q. The Plaintiff has never forgiven or condoned the offense of her husband, nor has she cohabited with him since said desertion?

A. No sir.

29 Q. There is one child as the result of this marriage.

A. Yes.

30 Q. Name and age?

A. Seven.

31 Q. Name?

A. Raymond.

32 Q. Do you know whether the Plaintiff is the fit and proper party to have the care and custody of the child?

A. Yes; she certainly is.

33 Q. The Defendant is employed there.

A. He is a clerk in the post office.

34 Q. Do you know his salary?

A. No.

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
Kathie E. Ball

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 29th day of March in the year of Our Lord nineteen hundred and twenty one 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.

56
56 1921 B61 Circuit Court
Docket No. _____

Walter Water

vs.

Walter Water

SUBMISSION FOR DECREE.

Mr. Clerk,

Please file,

[Signature]
Solicitor for Plaintiff.

B 22102
No. _____

9
Filed *Yapue* 1921

Marion Waters

vs.
William Waters

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,

(Signature)

Solicitor for Defendant.

56 Circuit Court

19 21 Docket No.

Waters

Waters vs.

Order of Reference
and Report

B22102

No.

10

Order Filed *4* day of *June* 19 *21*

Report Filed.....day of.....19

Mamie Waters

vs.

Malibu Waters

IN THE
Circuit Court

OF

BALTIMORE CITY

March Term 19 *21*

This case being submitted, without argument, it is ordered by the Court, this
day of *April*, 19 *21*, that the same be and it is hereby referred to
Ward Scoe, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

Ward Scoe

Report of Auditor and Master

Bill for divorce a vinculo matrimonii, for the custody
of the minor child of the parties and for the resumption of her maiden
name filed by the wife against her husband on the ground of abandonment.
Code 1911, Art. 16, secs. 36-41.

Defendant summoned and answers by solicitor.

Residence of both parties in Baltimore City for more
than two years proven.

The marriage proven.

The abandonment for three years, its finality and the
irreconcilability of the parties proven.

Case made for giving the custody of the minor child to
the plaintiff.

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

Case submitted and ready for decree.

Ward B. Scoe
Auditor and Master.

Fee \$9 paid.

April 7th, 1921.

CIRCUIT COURT

B--56--

1921.

No. 61 Docket

MARION WATERS

vs.

WILBUR H. WATERS.

Recorded:

Folio 110 1921

Decree of Divorce

B 22102

B No.

11

sd 23 June 1921

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

Marion M. Ellis
Auditor and Master.

Circuit Court

OF

BALTIMORE CITY

MARION WATERS

VS.

WILBUR H. WATERS

March

Term, 19 21.

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

It is thereupon, this 23rd day of April, A. D. 1921, by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said Marion Waters

the above named Complainant be and she is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, the said Wilbur H. Waters.

AND IT IS FURTHER ORDERED that said complainant shall have the guardianship and custody of Raymond Waters, the minor child of the parties in the proceedings mentioned, with privilege to said defendant to see said child at all reasonable times, and that said defendant shall pay said complainant the sum of \$5.00 per week, accounting from the date of this decree, for the support and maintenance of said minor child, until the further order of this Court.

AND IT IS FURTHER ORDERED that said complainant be and she is hereby authorized to resume her maiden name, Marion Breckenridge.

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

H. Arthur Stamp