

In the Circuit Court
of
Baltimore 1918

Preston Waring 1918

↳

Bertha Waring

Belle for J. W. W. W. W.

Miller please file

[Signature]

B 22386
(1)

DAVIS & BISHOP
ATTORNEYS AT LAW
BUNNEKER BUILDING
14 E. PLEASANT STREET
BALTIMORE, MD.
A 21 April 1921

Preston Woingust :::: In The Circuit Court
 vs. :::: of
Bertha Woingust :::: Baltimore City.

To The Honorable, The Judge of Said Court:

Your orator complaining, respectfully says:

FIRST, that the parties hereto were married on or about August 25th. 1917, by Rev. Young of Baltimore City Maryland and lived together as man and wife until on or about April 3rd. 1918. 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 orator toward his wife has always been kind, affectionate and above reproach, she without any just cause or reason abandoned and deserted him and has declared her intentions to live with him no longer that such abandonment has continued uninterruptedly for more than three years prior to the filing of this bill of complaint and was deliberate and final, and beyond any reasonable hope or expectation of reconciliation.

FOURTH, That your orator has never condoned nor forgiven the said desertion, that he has never co-habited with the said respondent since the desertion.

FIFTH, That there are two children born as a result of this marriage. Virginia aged 1yr. and 3 months; Samuel 3 years old.

THEREFORE YOUR ORATOR PRAYS:


a-a A divorce a vinculo matrimonii from the respondent.

b-b Such other and further relief as the case may require.

May it please Your Honor to grant unto your orator a writ of subpoena, directed unto the said respondent, commanding her 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.

Complainant



Solicitors for Complainant.

37

198 1

Ct. Ct.

192 1

Docket No.

Woiugust

Woiugust
P.W.

SUBPOENA TO ANSWER BILL OF COMPLAINT

No.

18078
Magdum
22386
2

Filed

6 May 192 1

J. Steward Lewis
SOLICITOR

6

Summond and a copy of the Process left with the
defendants
Thomas J. McQuilty
Shuff
5/3/21
Fees \$0.80

EQUITY SUBPOENA

The State of Maryland

On

Betha Horigust

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

Preston Horigust

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 ~~12th~~ day of ~~March~~ 1921

Issued the ~~21~~ day of ~~April~~, in the year 1921

Chas. B. Whitford 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 1921
4421
Question Warrant

vs

Bertha Womgust

Pelicans award

Mr. Charles Phelps
(P. Phelps)

B 22386
(3)

DAVIS & BISHOP
ATTORNEYS AT LAW
BANNER BUILDING
14 E. PLAZA ST. BALTIMORE, MD.
1921

Creston Wonguist

In The Circuit Court

vs.

of

Bertha Wonguist

Baltimore City.

To The Honorable, The Judge of Said Court:


Your orator respectfully says:-

FIRST, For that on or about _____ day of
_____ your orator filed in this Court a petition pray-
-ing a divorce A VINCULO MATRIMONNII on the grounds of deser-
tion.

SECOND, That your orator discovers that there
has not been sufficient continuity to said desertion to support
relief prayed for.

WHEREFORE your orator begs leave to substitute
for the third paragraph of above mentioned ~~the~~ petition the follow-
ing:-

THIRD, That though the conduct of your orator
toward his wife has always been kind, affectionate and above
reproach, she without any just cause or reason committed the
crime of adultery with lewd and abandoned men whose names are
unknown to your orator.


ATTORNEY for petitioner

Ordered this 27 day of April

1921 that petitioner be granted leave to amend her original
bill as prayed in attach petition.

Paul H. Hinder

IN THE CIRCUIT COURT
-OF-
BALTIMORE CITY.

B 198
B 1921

Creston Woingust

vs.

Bertha Woingust.

ANSWER TO BILL OF COMPLAINT.

B 22386

Mr. Clerk:--

4
Please file &c.,

Roy S. Bond
Sol. for Defendant.

ROY S. BOND
ATTORNEY AT LAW
215 ST. PAUL PLACE
BALTIMORE, MD.

FILED *3 May 1921*

Creston Woingust

vs.

Bertha Woingust

IN THE CIRCUIT COURT OF
BALTIMORE CITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Your Respondent in answer to the Bill of Complaint before this Court exhibited respectfully shows:

-FIRST-

She neither admits nor denies the first and second paragraphs of the Plaintiff's bill, but if the same be material to your respondent's rights in the premises, she requires strict and legal proof of same.

-SECOND-

She most emphatically denies the third and fourth paragraphs of the Plaintiff's bill and to the contrary says her husband abandoned and deserted her without just cause or reason.

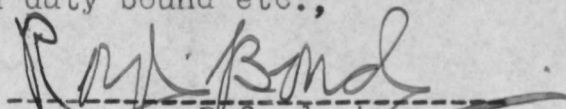
-THIRD-

She admits the fifth paragraph and denies each and every paragraph of the amended bill that may be used against her and most especially denies that she has ever committed adultery with any one and to the contrary says, she has always been a good, kind, faithful wife to her husband.

WHEREFORE YOUR RESPONDENT PRAYS:

- a- That the Plaintiff's bill and amended bill be dismissed.
- b- Permanent alimony for the support of her children.
- c- Such other and further relief as the case may require.

As in duty bound etc.,


Sol. for Defendant.

✓

CIRCUIT COURT

198
19 21 *B61* Docket No.

Creston Woungart
.....
vs.

Bertha Woungart
.....

Order 19

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

Sapp
22386
No.

Sapp <5>

4 May
Fd 19 21

Charles Woungnet

vs.

Bertha Woungnet

IN THE
Circuit Court
OF
BALTIMORE CITY

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

THE PETITION OF *Paullet*

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

[Signature]
Solicitor for

ORDERED, this *4th* day of *May* 192*1*, 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]

IN THE CIRCUIT COURT
OF
BALTIMORE CITY.

198
1921

Creston Woingust

vs.

Bertha Woingust.

AGREEMENT AS TO CUSTODY
AND MAINTENANCE OF CHILDREN.

B 22386

6

ROY S. BOND
ATTORNEY AT LAW
215 ST. PAUL PLACE
BALTIMORE, MD.

FILED

21 May 1921

The Daily Record Co. Print, Baltimore, Md.

Creston Woingust

vs.

Bertha Woingust.

IN THE CIRCUIT COURT OF
BALTIMORE CITY.

AGREEMENT AS TO CUSTODY AND MAINTENANCE OF MINOR CHILDREN.

It is agreed by and between the parties of the above entitled cause, that in the event that a decree of divorce, A Vinculo Matrimonii, be passed in said cause, the permanent care, custody and guardianship of Edward Woingust and Virginia I. Woingust, the infant children of the parties of this cause be awarded to the mother, Bertha Woingust with whom they have always been and that the father, Creston Woingust, shall contribute - Seven Dollars ----- (\$7.00) per week for the support and maintenace of the said minor children, pending the further order of the Court and that he shall further pay the sum of Fifty (\$50) Dollars as back alimony prior to the signing of the decree.

It is expressly understood that this agreement is made subject to the approval of this Honorable Court.

Bertha Woingust
.....
Mother.

Creston L. Woingust
.....
Father.

.....
Sol. for Complainant.

Raymond
.....
Sol. for Respondent.

[Signature]
.....
Sol. for Complainant.

3/12/1932

Doc. 73 198
1901

In the Circuit Court,
OF BALTIMORE CITY

DEPOSITIONS

Creston Waengust

vs.

Bertha Waengust

No. *20,20386B*

PLAINTIFF'S COSTS

Examiners.....\$ *8⁰⁰*

Copies.....

Sheriff.....

Stenographer..... *2⁰⁰*

\$ *10⁰⁰*

DEFENDANT'S COSTS

Examiners.....\$

Copies.....

Sheriff.....

Stenographer.....

A. I. Apue \$ *1932*

Creston Noenquist

.....

vs.

Burtha Noenquist

.....

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 *fourth* day of *May* 192*1*, met on the *eighteenth* day of *May* in the year nineteen hundred and *twenty-one* at my office, in the City of Baltimore, in the State of Maryland, and assigned the *nineteenth* day of *May* 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:—

8-250

Woingust,

v.

Woingust.

Testimony taken at the office of Mr. Davis,
Baltimore, Maryland, May 1921, at 3 O'clock P. M.

CRESTON WOINGUST, the Plaintiff in this case,
produced on his 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. Creston Woingust, 1233 McElderry Street;
waiter.

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

A. I am the Plaintiff and my wife is the De-
fendant.

BY MR. DAVIS:

1 Q. When were you married?

A. August 25th., 1917.

2 Q. By whom?

A. By the Reverend Mr. Young.

3 Q. A Methodist Minister, in Baltimore City,
State of Maryland?

A. Yes.

4 Q. And after that you and your wife lived together
as husband and wife until on or about April 3rd., 1920?

A. Yes.

Creston Woiggust.

5 Q. The Bill state 1918; but that is an error?

A. Yes.

6 Q. It was April 3rd., 1920?

A. Yes.

7 Q. Which one left the other; did you leave her or did she leave you.

A. She left me.

8 Q. She left you to go where?

A. To Norfolk.

9 Q. How long did she stay in Norfolk?

A. From that time.

10 Q. From the time that she left you.

A. Yes.

11 Q. And how long did she stay there.

A. She stayed there until June, I think.

11 Q. June of the same year?

A. Yes.

12 Q. And she was in Norfolk to the best of your knowledge,- and while there did you get hold of any letter that had been written by her to some one else?

A. Yes, I did.

13 Q. Who was it written to?

A. To her sister in law.

C. Woingust.

14 Q. To her sister in law.

A. To my sister in law; her sister.

15 Q. To her sister.

A. No; I will get that right in a minute. I mean to my brother's wife; she would be my sister in law.

16 Q. I see: Now, in whose handwriting was that letter

A. In her handwriting.

17 Q. You had seen her writing often.

A. Yes.

18 Q. Did she sign the letter.

A. Yes.

19 Q. You have'nt that letter now, have you.

A. No sir.

20 Q. What did she say in that letter.

A. She said something in regard to the man that she was associating with.

21 Q. She was associating with this man.

A. Yes.

22 Q. What did she say about this man.

A. She said that she was out with this man.

23 Q. What did she say she had done while she was out with this man.

C. Wcingust.

A. She said that she had committed it?

24 Q. And how she enjoyed it, or something of that sort?

A. Yes.

25 Q. That was in the letter?

A. Yes.

26 Q. And you saw her this year.

A. The third Sunday in April

27 Q. Of 1921?

A. Yes.

28 Q. Where did you see her.

A. I saw her going out Calhoun Street, and I followed her up the street, and she went into a house that has a bad reputation.

29 Q. She went into this house.

A. Yes.

30 Q. Was she with anybody.

A. Yes; with a man.

31 Q. What is the reputation of that house; good or bad?

A. Bad.

32 Q. Is the reputation of the house such that it is known as a place where a man can take a woman for immor-

C. Weingust.

al purposes?

A. Yes; with women other than their wives.

33 Q. Do you know how long she stayed in there?

A. Fully an hour.

34 Q. Of course, you did not make yourself known to her?

A. No.

35 Q. Did she come out with the same man?

A. Yes.

36 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.

37 Q. Of course, your wife is a resident of the State of Maryland, City of Baltimore?

A. Yes.

38 Q. Your conduct towards your wife, - Was it always kind and affectionate and above reproach?

A. Yes.

39 Q. You supported her?

A. Yes.

40 Q. You are paying her now a certain amount a week for the support of herself and child, which you intend to continue?

A. Yes.

C. Wcingust.

41 Q. You did not give her any cause or reason to leave you in April 1920?

A. No sir.

42 Q. There are two children born as the result of this marriage?

A. Yes.

43 Q. One named Samuel?

A. Yes.

44 Q. Samuel is three years old?

A. Yes.

45 Q. And Virginia one year and three months?

A. Yes.

46 Q. Have you lived or cohabited with your wife since you discovered her adulteries?

A. No.

47 Q. You have never condoned her adulteries?

A. No sir.

CROSS EXAMINATION BY MR. BOND:

1 X Q. Do you know with whom your wife is living?

A. With her mother.

2 X Q. And the children are with the mother, your wife.

A. Yes.

C. Woingust.

3 X Q. Are you willing that your wife continue to retain the custody and guardianship of these two children?

A. Yes.

4 X Q. And do you think that they have a proper place there with her mother for these two children?

A. Yes.

5 Y Q. You are paying your wife how much a week for the support of these children?

A. Seven dollars a week.

6 X Q. Are you willing to continue that?

A. Yes.

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, Creston L. Wounguet

LAVENIA WOINGUST, a witness of lawful age, produced on behalf of the Plaintiff, 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. Lavenia Woingust, 1233 McElderry Street; seamstress.

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

A. Yes.

BY MR. DAVIS:

1 Q. The Plaintiff is your son.

A. Yes.

2 Q. And you know that he and the Defendant were legally married?

A. Yes.

3 Q. Were you present at the wedding?

A. I was not.

4 Q. Of course, you know that they lived together.

A. Yes.

5 Q. As husband and wife?

A. Yes.

6 Q. And they had the reputation of being husband and wife?

A. Yes.

L. Woingust.

7 Q. And they held themselves out as husband and wife?

A. Yes.

8 Q. They were married by the Reverend Mr. Young?

A. Yes.

9 Q. And they continued to live in Baltimore City, State of Maryland.

A. Yes.

10 Q. They lived together as husband and wife until, as the Bill states, April 3rd., 1918,- but that is an error; it was April 1920; was'nt it.

A. Yes.

11 Q. Did he leave his wife or did his wife leave him.

A. His wife left him.

12 Q. Where did she go?

A. To Norfolk, Virginia.

13 Q. Both of the parties to this suit are residents of Baltimore City, State of Maryland, and they have been for more than two years prior to the filing of this suit?

A. Yes.

14 Q. And you knew that the conduct of your son has always been that of a kind, affectionate husband, and that his conduct was always above reproach?

A. Yes.

L. Woingust.

15 Q. He was kind towards his wife and he supported her?

A. Yes.

16 Q. And you are now -- Your son is now supporting his children and he intends to continue to support them?

A. Yes.

17 Q. He did not give her any cause to leave him, to your knowledge?

A. No cause whatever.

18 Q. Have you ever seen your daughter in law with a man who was not her husband.

A. Yes.

19 Q. What is his name.

A. Hula.

20 Q. Who is Hulaa

A. A Mexican.

21 Q. That is, a sort of a Mexican negro.

A. Yes.

22 Q. Where does he live.

A. On Central Avenue in the 600 block; it is almost directly across from Dunbar's.

23 Q. What sort of a place is this?

A. He keeps a upholstering place.

L. Woingust.

24 Q. Have you ever seen her go into that house in company with this man?

A. I saw her go into that house with him.

25 Q. At night?

A. Yes.

26 Q. What is the reputation of that house?

A. It does not bear a good reputation, because he takes whoever he wants in there. He lives there alone and he takes whoever he wants in there.

27 Q. And he has rooms in there?

A. Yes.

28 Q. And his reputation is that he rents these rooms for immoral purposes.

A. Yes.

29 Q. Have you ever seen this man call at her mother's house.

A. Yes.

30 Q. Where does her mother live?

A. 1807 Madisoⁿ Street.

31 Q. And he has called at her mother's house.

A. Yes, and I was present when he alled.

32 Q. You were present when he called?

A. Yes.

L. Woingust.

33 Q. When was that.

A. Christmas time; I alled to see the children.

34 Q. You called to see the children.

A. Yes.

35 Q. And he called to see her while you were there to see the children.

A. Yes.

36 Q. Have you ever known him to take her to the moving pictures.

A. They left while I was there to go out.

38 Q. They left while you were there to go out to the moving pictures?

A. Yes.

39 Q. You were with your son on the third Sunday in April?

A. Yes.

40 Q. When he followeed his wife to this house 1806 Madiscn Avenue.

A. Yes.

42 Q. And she went in there with a man.

A. Yes.

43 Q. Do you know who he was.

A. I can not say who he was.

44 Q. It was not her husband?

I. Woingust.

A. No sir.

45 Q. And they went in there and stayed an hour?

A. Yes.

46 Q. Do you know the reputation of that house.

A. It is not very good.

47 Q. And is it known as a questionable house.

A. Yes; a questionable house.

48 Q. Your son has not consented to this offense of adultery nor has he cohabited with his wife since he discovered the adultery?

A. No sir.

49 Q. There are two children born as the result of this marriage, - Virginia and Samuel?

A. Yes.

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

Mrs Lavinia A. Wingust

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 1st day of April 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.

Address of Plaintiff

198 B6
19 21 Circuit Court
Docket No. _____

Mauda Woungat

vs.

Berthe Woungat

SUBMISSION FOR DECREE.

Rob

Mr. Clerk,

Please file,

(Signature)

Solicitor for Plaintiff.

No. B 22386

Filed 8
4 June 19 22

In the Circuit Court of Baltimore City

Reston Waugust

Bertha Waugust vs. Bertha Waugust

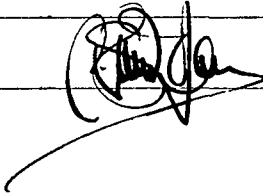
*In the Circuit Court
of Baltimore City*

_____ 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.



Solicitor for Plaintiff,



Solicitor for Defendant.

Circuit Court

198
19 21 861 Docket No.

Houngust
vs.

Houngust

Order of Reference
and Report

~~*Robinson*~~

R 22386
No.

9 ✓

Order Filed *4* day of *April* 19 *22*

Report Filed *13* day of *April* 19 *22*

Preston Korngust

IN THE
Circuit Court

vs.
Bertha Korngust

OF 198
BALTIMORE CITY

March Term, 19 22
4

This case being submitted, without argument, it is ordered by the Court, this
day of April, 1922, that the same be and it is hereby referred to
Alex H Robertson, Esq., Auditor and Master, to report the
pleadings and the facts, and his opinion thereon.

Carroll J Bond

Report of Auditor and Master

Bill filed by husband against wife for divorce a vinculo matrimonii on
ground of adultery, Code Art. 16, Sect. 36. Defendant summoned and answers
Proof shows marriage, residence, ~~and~~ adultery of defendant and
agreement as to custody of minor children. Case submitted and ready
for decree.

Alex H Robertson
Auditor & Master.

CIRCUIT COURT

B 198
1921 No. Docket

CRESTON WOINGUST

VS.

BERTHA WOINGUST

Folio 76 1922

Decree of Divorce

B No. 22386
[10]

Ed 13^e April 1922

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

Alon W. Robinson
Auditor and Master.

Decree of Divorce

IN THE

Circuit Court

OF

BALTIMORE CITY

CRESTON WOINGUST

VS.

BERTHA WOINGUST

March Term, 1922

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

It is thereupon, this 13th day of April, A.D. 1922.

by the Circuit Court of Baltimore City, Adjudged, Ordered and Decreed, that the said

Creston Woingust

the above named Complainant be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, Bertha Woingust, that the minor children, Edward and Virginia I. Woingust, remain in the custody of the defendant and that the plaintiff pay the defendant the sum of seven (\$7.00) a week toward the support and maintenance of said minor children, as per agreement filed.

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

Carroll J. Bond