

DIVORCE COURT.

CASES BEFORE THE CHIEF JUSTICE.

The Chief Justice yesterday had before him a number of cases in divorce.

McAuley v. McAuley.

In the case of Amy Lydia McAuley (petitioner) and James Robert McAuley (respondent), petitioner was granted a decree absolute, with costs against respondent.

Barr v. Barr.

Helene Barr applied for the dissolution of her marriage with David Andrew Barr.

Mr. W. Nairn appeared for petitioner. Respondent was not represented.

Petitioner stated she was married to respondent in New South Wales in 1891. Their farm having been sold up by the bank, she left the State for Bunbury, in Western Australia. There she was joined by her husband, who got work on the permanent-way at Waroona. They lived there about 11 years. Respondent in 1906 told her that he was going to a permanent-way picnic in Perth, but he did not return, nor did he write. He was subsequently arrested near Greenhills, and an order was made against him for maintenance. He again lived with her, but only for a brief period. That was in 1907, when he returned to Dangin, stating at the time that he would call for her and her children. She did not, however, hear anything from him, nor did he send her any money. She subsequently got work at Greenhills, near Dangin, and on respondent learning that she was there, he cleared out from the latter centre. He did not write to her, nor had she seen him since. She caused advertisements to be published in the Press, and she then ascertained that respondent was at Kellerberrin, at which centre he was served with the petition. There were eight children of the marriage.

His Honour said he was perfectly satisfied as to the desertion, but the affidavit of service did not satisfy him.

On the latter point, Mr. Nairn was given leave to again apply to his Honour.

Unsworth v. Unsworth.

In the next case Hannah Woodley Unsworth was cited as petitioner and Joseph Edward Unsworth as respondent.

Mr. Villeneuve Smith appeared for petitioner; respondent was not represented.

Petitioner said she was married to respondent at Broken Hill in 1900. They subsequently came to Brown Hill, in Western Australia, and lived at that centre for about a year, and later at Boulder. There was one child of the marriage. Respondent at that time was in business as a grocer. In July, 1906, respondent decided to go to New Zealand. He sold the business and house and furniture and went to Perth with their child. She followed three days later, but could not find them, although she invoked the aid of the police and the shipping people. In consequence of an advertisement in one of the papers to the effect that a man named Unsworth was running in races in Sydney, she left for New South Wales, and saw the police in regard to the matter, but ascertained that the man in question was not her husband. She returned to Perth, and

husband. She returned to Perth, and through the efforts of the late Detective Kavanagh she discovered her husband at Boulder. In reply to a question, he said he would not give up her child, but he said that if she returned to Perth he would send the child to her. She asked him what he intended to do for her, and he said she was big enough to look after herself. She threatened proceedings, but he said that if she took action he would leave the State. He forwarded the child to her, and once she had placed it in the care of her sister in Adelaide she returned to Sydney and again went to work. She was at present a stewardess on one of the A.U.S.N. boats. Her husband had not maintained her since 1907, during the greater part of which time she had also had to maintain and educate her child. She did not get on well with respondent.

His Honour: "Well, I don't suppose you were sorry he left you?"—Yes, I was sorry; my home was broken up.

Other evidence having also been heard, his Honour said he was satisfied that respondent had without just cause wilfully deserted petitioner for a period of five years and upwards. Petitioner would be granted a decree nisi, with costs, the decree to be returnable in six months. She would also be given the custody of the child.

Udell v. Udell.

Walter Udell petitioned for a divorce from his wife (Frances Udell) on the ground of the latter's misconduct. Frederick Brewer being cited as co-respondent.

Mr. Durston appeared for petitioner; the other parties were not represented.

After considerable evidence his Honour granted petitioner a decree nisi, returnable in six months, with costs against co-respondent.

Hasche v. Hasche.

Emily Frances Hasche, for whom Mr. Penny appeared, petitioned for the dissolution of her marriage with Ernest Gustav Hasche, who was not represented.

Petitioner, in evidence, said that after taxing him on the subject, respondent on one occasion said that he loved another woman, who had threatened to shoot him if he left her. She had seen respondent with the woman in question in 1910, since when petitioner had not seen him, nor had she been able to get any tidings of him. For the greater part of her married life she had maintained herself.

Another witness said that the woman referred to in the case had frequented an hotel at which he was employed, and he had seen her walking away from the hotel arm-in-arm with respondent, who had asked him not to mention the matter to anyone. Witness had seen the two of them on several occasions at the hotel. Respondent had occupied the position of yardman in one of the hotels at Fremantle.

Another witness said that on half a dozen occasions he had seen respondent and the woman referred to—described as Mrs. Thompson—walking from South Beach before 6 o'clock in the morning. On one occasion they asked him not to mention the matter to the proprietors of the hotels at which they worked. Mrs. Thompson having worked as a cook at one hotel, and respondent as a yardman at another hotel.

ing witness as a woman at the hotel, and re-
spondent as a yardman at another hotel.

His Honour said that the only reasonable
inference to be drawn from the whole of the
evidence was that respondent had commit-
ted adultery.

Petitioner was granted a decree nisi, with
the custody of her children.

Jarvis v. Jarvis.

Albert Shaw Jarvis petitioned for the
dissolution of his marriage with Bella
Muriel Jarvis on the ground of the latter's
desertion.

Mr. Stawell appeared for petitioner; re-
spondent was not represented.

His Honour on the evidence granted peti-
tioner a decree nisi, returnable in the usual
period.