

Petition for dissolution of Marriage. Western Australia

To the Judge of Her Majesty's Court for Divorce and Matrimonial Causes.

The twenty third day of November One thousand eight hundred and seventy eight.

The Petition of Thomas Jardine of Lockeville in the said Colony letterpress printer sheweth -

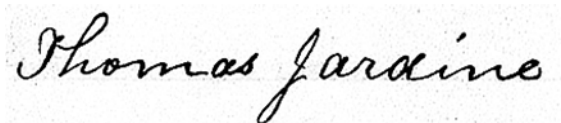
1. That your petitioner was on the ninth day of June One thousand eight hundred and fifty five married to Hannah Jardine then Hannah Milson Evans, spinster at the Congregational Church at Fremantle in the said Colony.
2. That after his marriage your Petitioner lived and cohabited with his said Wife at Fremantle in the said Colony for a period of about six months when he was convicted of a felony and received a sentence of Seven years penal servitude and that your Petitioner and his said Wife had issue of their said marriage one child only a daughter named Hannah Elizabeth of the age of twenty one years or thereabouts and now married to Richard Baldwin, Farmer of Serpentine.,
3. That since the date of his conviction namely the second day of January One thousand eight hundred and fifty six your Petitioner has never lived resided or cohabited with his said wife but has been living separate and apart from her.
4. That in or about the year One thousand eight hundred and fifty eight while your Petitioner was still in prison undergoing his sentence the said Hannah Jardine went to live with Frederick Chester of the Serpentine in the said Colony Farmer and she has ever since that time lived and cohabited and is now living and cohabiting with the said Frederick Chester.
5. That the said Hannah Jardine has had issue by the said Frederick Chester five children.

Your Petitioner therefore humbly prays that your Honor will be pleased to decree and dissolution of the said marriage.

And that your petitioner may have such further and other relief in the premisses as your Honor may seem meet.

Thomas Jardine

Filed 2 December 1878.



Western Australia

In Her Majesty's Court for Divorce and Matrimonial Causes.

Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith.

To Hannah Milson Jardine and Frederick Chester of the Serpentine in the Colony of Western Australia.

Whereas Thomas Jardine of Lockeville in the said Colony Letter press printer claiming to have been lawfully married to the said Hannah Milson Jardine has filed his Petition against you in our said Court praying for dissolution of marriage wherein he alleges that you have been guilty of adultery. Now this is to Command you and each of you that within eight days after service thereof on you inclusive of the day of such service you and each of you do appear in our Court then and there to make answer to the said Petition a Copy whereof sealed with the seal of our said Court is herewith served upon you. And take notice that in default of your so doing Our said Court will proceed to hear the said charge proved in due course of law and to pronounce sentence therein your absence notwithstanding And take further notice that for the purpose aforesaid you and each of you are to

attend in person or by your Proctor Solicitor or Attorney at the Registry of Our said Court at perth and there to enter an appearance in a book provided for that purpose without which you will not be allowed to address the Court either in person or by Counsel at any stage of the proceedings in the cause.

Dated at Perth the third day of December One thousand eight hundred and seventy eight and in the 42nd Year of Our Reign.

Catherine Dixon (formerly Catherine Ivermey spinster) now the wife of John Dixon of Fremantle Butcher made an oath saying she was present at the marriage, and she knew Hannah Jardine went to live with Frederick Chester and had several children by him. Signed C.A. Dixon, 14 March 1879.

Affidavit by Rev Joseph Johnston as to marriage. Filed 29 March 1879.

He said Thomas Jardine and Hannah Milson Evans were married at his house in Fremantle on 9 June 1855.

William Henry Foster of Perth, mail carrier delivered the document to Hannah Jardine on 13 October 1879. The Respondent and Co-Respondent did not appear at Court.

Affidavit in support of motion for Decree Absolute.

Henry Grundy of Perth, clerk to Mr Stephen Henry Parker Solicitor for Thomas Jardine says he has searched the books and no documents have been filed in opposition of the motion. 23 October 1879.

5 November 1879. The Honorable Court will be moved by Counsel on behalf of the petitioner for a decree absolute for a dissolution of the marriage of the petitioner with the Respondent.

Reference LDS film 1686264, image 415