

Cor. Bean  
Time for service extended  
to 29th Dec

Adams  
Associate  
28/8/51

Coram Herring C.S.

Order for substituted service 28/9/51  
Reserve costs. Certify.

A. Woodward  
Associate

Cor. Barryd

Decree nisi - desertion -  
costs - permanent  
maintenance reserved  
J. Edwards  
12.4.52

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

WEBB

V

WEBB

THE DECREE NISI GRANTED HEREIN ON THE 17th DAY OF APRIL 1952 HAS THE DAY BEEN MADE ABSOLUTE BY ME AND OPERATIVE FROM AND INCLUSIVE OF THE 18th DAY OF JUNE 1952 DATED AT MELBOURNE THIS 19th DAY OF JULY 1952

PROTHONOTARY

The address of the petitioner and  
Petitioner is Butte in the  
State of South Australia  
This Petition is issued by  
Henry Perkins Gillman  
of the firm of Oswald  
Burt & Co.  
His & the said Petitioner's  
address for service is at  
the office of Oswald Burt  
& Co at 394 Collins Street  
Melbourne in the  
said State.



OSWALD BURT & CO.  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner

TO THE SUPREME COURT

OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

- and -

CARL WEBB

Respondent

THE 18<sup>th</sup> DAY OF June 1951

The Petition of DOROTHY JEAN WEBB of Bute in the State of South Australia Married Woman SHEWETH :

1. That your Petitioner (then Dorothy Jean Robertson) was on the 4th day of October 1941 married to the abovenamed Respondent at St. Matthews Prahran in the State of Victoria by the Reverend John Bruce Montgomerie according to the rites of the Church of England.
2. Since the celebration of the said marriage the Respondent has without just cause or excuse wilfully deserted your petitioner and has without any such cause or excuse left her continuously so deserted during a period of three years and upwards.

YOUR PETITIONER THEREFORE PRAYS that your Honours will be pleased to decree -

1. That the Marriage between your Petitioner and the Respondent be dissolved.
2. That your Petitioner shall have an order for alimony.
3. That your Petitioner may have such further and other relief as to your Honours may seem meet.

*bg. Webb*

PETITIONER

IN CASE OF A DECREE NISI BEING GRANTED  
NEITHER PARTY CAN LEGALLY REMARRY UNTIL  
SUCH DECREE NISI HAS BEEN MADE ABSOLUTE.

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

PRAECIPE FOR

V

CITATION

WEBB



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.



IN THE SUPREME COURT  
OF VICTORIA

)  
)  
)  
1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

CITATION for DOROTHY JEAN WEBB of Bute in the State of South Australia Married Woman against CARL WEBB formerly of Bromby Street South Yarra in the State of Victoria but now of parts unknown for a dissolution of marriage for cause of desertion for a period of three years and upwards.

DATED the 29<sup>th</sup> day of June 1951.

*Ronald Burdole.*

Solicitors for the Petitioner

To the Prothonotary  
Law Courts  
Melbourne.



4  
IN THE SUPREME COURT

OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

WEBB

V

WEBB

NOTICE TO PRODUCE



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner

IN THE SUPREME COURT  
OF VICTORIA

)  
)  
)  
1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

PLEASE PRODUCE all papers filed herein before His Honour the Judge sitting in Chambers in the Practice Court on Thursday the 23rd day of August 1951.

DATED the 22<sup>nd</sup> day of August 1951.

*Edward Lush*

Solicitors for the Petitioner

To the Prothonotary  
Law Courts  
Melbourne.

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

-against-

CARL WEBB

WEBB

V

WEBB

AFFIDAVIT OF

HENRY HAWKINS GILLAM



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

I HENRY HAWKINS GILLAM of 394 Collins Street Melbourne in the State of Victoria Solicitor make oath and say as follows:-

1. I am a member of the firm of Oswald Burt & Co. of 394 Collins Street Melbourne and am the Solicitor for the Petitioner in this matter.

2. That the Petition, upon which the Citation herein was issued, was filed on the 29th day of June 1951.

3. That efforts have been made to locate the abovenamed Respondent in order to effect service of the Petition and Citation herein upon him personally, but it has not been possible to ascertain his present whereabouts or to effect such service.

4. That it is desired that the time for service of the Petition and Citation herein be enlarged pursuant to Rule 11 (2) of the Rules of Procedure in Divorce and Matrimonial Causes.

SWORN at Melbourne in the State)  
of Victoria this 22<sup>nd</sup> day)  
of August 1951.  
Before me:-

*Henry Hawkins Gillam*

*D. P. [Signature]*  
A Commissioner of the Supreme Court of Victoria for  
taking Affidavits

This Affidavit is filed on behalf of the Petitioner

6.  
IN THE SUPREME COURT

OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

V

WEBB

ORDER



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

BEFORE HIS HONOUR MR. JUSTICE DEAN IN CHAMBERS  
THURSDAY THE TWENTY-THIRD DAY OF AUGUST 1951.

UPON APPLICATION this day made AND UPON HEARING the Solicitor for the Petitioner AND UPON READING the Affidavit of Henry Hawkins Gillam sworn the 22nd day of August 1951 and filed herein I DO ORDER that the time for service of the Petition and Citation herein be extended to the 29th day of October 1951 AND THAT the costs of and incidental to this application be reserved.

*Sgd Arthur Dean J*

*Arthur Dean*

J U D G E





IN THE SUPREME COURT  
OF VICTORIA

1951 No.846

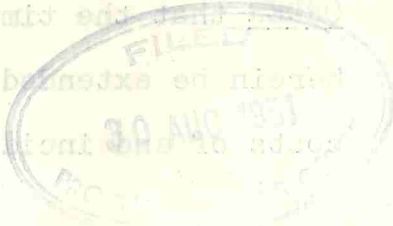
DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

WEBB

V

WEBB

ORDER



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner

IN THE SUPREME COURT  
OF VICTORIA

)  
)  
)  
1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

BEFORE HIS HONOUR MR. JUSTICE DEAN IN CHAMBERS  
THURSDAY THE TWENTY-THIRD DAY OF AUGUST 1951.

UPON APPLICATION this day made AND UPON HEARING the Solicitor for the Petitioner AND UPON READING the Affidavit of Henry Hawkins Gillam sworn the 22nd day of August 1951 and filed herein I DO ORDER that the time for service of the Petition and Citation herein be extended to the 29th day of October 1951 AND THAT the costs of and incidental to this application be reserved.

*Arthur Dean*

J U D G E



IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

V

WEBB

AFFIDAVIT OF  
DOROTHY JEAN WEBB



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



IN THE SUPREME COURT  
OF VICTORIA

)  
)  
)  
1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

I DOROTHY JEAN WEBB of Bute in the State of South Australia  
Married Woman make oath and say as follows :-

1. THAT I am the abovenamed Petitioner.
2. I crave leave to refer to my affidavit verifying the  
Petition herein and sworn the 5th day of June 1951 and filed herein.
3. I do not know where the Respondent went to reside when  
he left the flat at 63 Bromby Street South Yarra in the State of  
Victoria and I do not know his present whereabouts. I believe  
he left the flat about the month of April 1947. I have not heard  
from or seen Respondent since September 1946. The maintenance  
order made in my favour on the 1st May 1947 has not been complied  
with since June 1947.
4. THE only relatives or friends of the Respondent known  
to me and who might be able to supply information as to his  
present whereabouts are his sisters whose names and addresses  
(so far as known to me) are as follows :-

Mrs. Leslie Scott,  
Peterleigh Grove,  
Essendon.

Mrs. Doris Martin,  
12 Toolangi Road,  
Alphington.

Mrs. Freda Keane,  
Brunswick.

I do not know the full address of the said Mrs. Freda Keane.

*for me*  
*McCarthy*  
*Notary Public*

*DJ Webb*

5. I knew that at the time of service of the summons for maintenance in April 1947 the Respondent was working at a machine shop in Prahran. I am informed by my solicitor and verily believe that the Respondent has left his employment there and I have no information as to where he has since been employed.

6. SAVE as aforesaid I do not know of any other person likely to be able to give any information which would assist in tracing the present whereabouts of the Respondent.

SWORN at Adelaide in the State)

of South Australia this 17<sup>th</sup> )

day of September 1951. )

Before me:

*D.G. Webb*

*Notary Public having authority to administer oaths in the Supreme Court of South Australia*

A Commissioner of the Supreme Court of Victoria for taking Affidavits in the State of South Australia.

*Filed on behalf of the above-named Petitioner*

*74.*

IN THE SUPREME COURT  
OF VICTORIA

1951 No.846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

WEBB

V

WEBB



AFFIDAVIT OF

DAVID PATERSON CONNELL



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



IN THE SUPREME COURT  
OF VICTORIA

)  
) 1951 No. 846  
)

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

I DAVID PATERSON CONNELL of 7 Fulton Street St. Kilda in the State of Victoria Law Student make oath and say as follows :-

1. THAT I was formerly and at the time of the enquiries and searches hereinafter referred to as made by me, a clerk employed by Messrs. Oswald Burt & Co. of 394 Collins Street Melbourne.

2. THAT on the 18th day of June 1951 I visited the block of flats in Bromby Street South Yarra where the Petitioner and the Respondent herein were residing until the 13th September 1946. I was informed by the occupant of Flat No. 2 in the said block of flats and verily believe that she remembered Mr. and Mrs. Webb living in the flats but she further informed me and I believe that they were not a social couple and rarely spoke to other people in flats and that she had no idea where either of them had gone or of their present whereabouts. She further informed me and I believe that none of the other tenants in the flats at present had been there when Carl Webb left.

3. THAT on the 18th day of June 1951 I also interviewed the owner-caretaker of the said flats and I was informed by him and verily believe that he remembered Carl Webb and that he, Carl Webb, had sold the furniture in his flat and left without giving any information as to where he was going.

4. THAT I made enquiries in the vicinity of the said flats

K

but was unable to contact any other person who had known the  
Petitioner or the Respondent herein.

5. THAT on the 19th day of June 1951 at the Electoral  
Office in Collins Street Melbourne I made a search of all the  
electoral rolls for the State of Victoria but was unable to find  
any record of a Carl Webb therein.

SWORN at Melbourne in the State )  
of Victoria this 14<sup>th</sup> )  
day of September 1951. )  
Before me:

*D. Connelley*

*M. W. Kelly*

A Commissioner of the Supreme Court of Victoria  
for taking Affidavits

*Filed on behalf of the above-named  
Petitioner.*

*74*

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

V

WEBB

AFFIDAVIT OF

HENRY HAWKINS GILLAM



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



IN THE SUPREME COURT  
OF VICTORIA

)  
)  
)  
1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

I HENRY HAWKINS GILLAM of 394 Collins Street Melbourne in the State of Victoria Solicitor make oath and say as follows :-

1. THAT I am a member of the firm of Oswald Burt & Co. of 394 Collins Street Melbourne and am the Solicitor for the abovenamed Petitioner.

2. THAT on the 9th day of March 1951 I caused letters to be sent to Mrs. Leslie Scott of Peterleigh Grove Essendon, Mrs. Doris Martin of 12 Toolangi Road Alphington, and Mrs. Freda Keane of Brunswick all of whom, as I am informed by the Petitioner herein and verily believe, are sisters of the abovenamed Respondent. The following is a copy (omitting formal parts) of each of such letters :-

"We act for Mrs. Dorothy Jean Webb who is bringing divorce proceedings against her husband Carl Webb.

Mrs. Webb does not know the present whereabouts of her husband. We understand that you are a sister of Mr. Webb and we should be glad if you could give us any information which might assist in ascertaining his present whereabouts or which might enable us to communicate with him".

I have received no reply to any of such letters but I am informed and verily believe that on the 13th day of March 1951 Mrs. Doris Martin telephoned my office and stated that she had not seen or heard of her brother Carl Webb for over three years and had no idea where he was now residing. The said letter addressed to Mrs. Freda Keane at Brunswick, Victoria, has been returned to my office marked



"Insufficient Address".

3. THAT on the 22nd day of August 1951 I made enquiries at the Court of Petty Sessions at Prahran and I was then informed by the clerk of the said Court and verily believe that service of the Summons for maintenance was effected on the Respondent in April 1947 at the Red Point Tool Co. of 66 St. Johns Street Prahran. I thereupon visited the premises of the Red Point Tool Co. aforesaid and as a result of enquiries made by me I was informed by the person in charge of the office there and verily believe that Carl Webb had left his employment with that firm about 3 or 4 years ago. I was further informed by the same person and verily believe that neither he nor the works foreman nor any of the present employees of the firm who had been with them during the Respondent's employment by them had seen the Respondent since he left their employment and that they had no idea where he was now employed or where he resided.

SWORN at Melbourne in the State )

of Victoria this 20<sup>th</sup> )

day of September 1951. )

Before me:

*Henry A. Swan*

*W. Kelly*

A Commissioner of the Supreme Court of Victoria  
for taking Affidavits

*Filed on behalf of the above-named  
Petitioner*

*AY*

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

v

WEBB

NOTICE TO PRODUCE



OSWALD BURT & CO.  
Solicitors,  
394 Collins Street,  
Melbourne C.I.

Solicitors for the Petitioner.

1951      No. 846

DOROTHY JEAN WEBB

Petitioner

- against -

CARL WEBB

Respondent

DATED the

25-4

day of September 1951.

Edward L. Bruce

Solicitors for the Petitioner

To:

The Prothonotary  
Law Courts  
Melbourne

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

V

WEBB

ORDER



OSWALD BURT & CO.

Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



IN THE SUPREME COURT

OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

BEFORE HIS HONOUR THE CHIEF JUSTICE (IN CHAMBERS)

FRIDAY THE 28th DAY OF SEPTEMBER 1951

UPON APPLICATION this day made to me on behalf of the abovenamed Petitioner AND UPON HEARING Mr. Barber of Counsel for the Petitioner AND UPON READING the affidavit of the Petitioner in support of the Petition and the further affidavit of the Petitioner sworn the 5th day of June 1951 and the 17th day of September 1951 respectively and the affidavits of David Paterson Connell and Henry Hawkins Gillam sworn the 14th and the 20th days of September 1951 respectively and filed herein IT IS ORDERED that personal service of the Petition and Citation herein upon the abovenamed Respondent be dispensed with and that in lieu thereof service be effected by inserting the advertisement set out in the Schedule hereinafter appearing once in the "Age" and the "Argus" newspapers published in Melbourne on or before the 8th day of October 1951 AND IT IS FURTHER ORDERED that the Respondent have until the 29th day of October 1951 within which to enter an appearance herein and until the 9th day of November 1951 within which to file an Answer herein AND that the costs of this application and Order be served AND I CERTIFY for Counsel.

*S. F. Hering C.J.*

THE SCHEDULE REFERRED TO

TO CARL WEBB formerly of Bromby Street South Yarra but now of parts unknown. TAKE NOTICE that your wife DOROTHY JEAN WEBB has instituted divorce proceedings against you on the ground of desertion and that unless you enter an appearance in the Prothonotary's Office of the Supreme Court at Melbourne on or before the 29th day of October 1951 the case may proceed in your absence and you may be ordered to pay costs.



IN THE SUPREME COURT

OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

WEBB

V

WEBB

*Copy*  
ORDER

OSWALD BURT & CO.

Solicitors

394 Collins Street

MELBOURNE.

Solicitors for the Petitioner



DIVORCE AND MATRIMONIAL CAUSES JURISDICTIONDOROTHY JEAN WEBBPetitioner

-against-

CARL WEBBRespondentBEFORE HIS HONOUR THE CHIEF JUSTICE (IN CHAMBERS)FRIDAY THE 28th DAY OF SEPTEMBER 1951

UPON APPLICATION this day made to me on behalf of the abovenamed Petitioner AND UPON HEARING Mr. Barber of Counsel for the Petitioner AND UPON READING the affidavit of the Petitioner in support of the Petition and the further affidavit of the Petitioner sworn the 5th day of June 1951 and the 17th day of September 1951 respectively and the affidavits of David Paterson Connell and Henry Hawkins Gillam sworn the 14th and the 20th days of September 1951 respectively and filed herein IT IS ORDERED that personal service of the Petition and Citation herein upon the abovenamed Respondent be dispensed with and that in lieu thereof service be effected by inserting the advertisement set out in the Schedule hereinafter appearing once in the "Age" and the "Argus" newspapers published in Melbourne on or before the 8th day of October 1951 AND IT IS FURTHER ORDERED that the Respondent have until the 29th day of October 1951 within which to enter an appearance herein and until the 9th day of November 1951 within which to file an Answer herein AND that the costs of this application and Order be reserved AND I CERTIFY for Counsel.

E. F. Herring C.S.

5/- Duty  
CancelledTHE SCHEDULE REFERRED TO

TO CARL WEBB formerly of Bromby Street South Yarra but now of parts unknown. TAKE NOTICE that your wife DOROTHY JEAN WEBB has instituted divorce proceedings against you on the ground of desertion and that unless you enter an appearance in the Prothonotary's Office of the Supreme Court at Melbourne on or before the 29th day of October 1951 the case may proceed in your absence and you may be ordered to pay costs

Substantive service of this Citation was duly effected pursuant to the Order of his Honour the Chief Justice made herein the 28th day of September 1951.

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

V

CITATION

WEBB

THE ADDRESS of the within-named  
Petitioner is Bute in the State of  
South Australia

THIS Citation is issued by Henry  
Hawkins Gillam of the firm of  
Oswald Burt & Co.

HIS and the said Petitioner's  
address for service is at the office  
of Oswald Burt & Co. at 394 Collins  
Street Melbourne in the said State.



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

GEORGE THE SIXTH by the Grace of God of Great Britain, Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith.

TO: CARL WEBB  
formerly of Bromby Street  
South South in the State  
of Victoria  
But now of parts unknown.

THESE ARE TO COMMAND YOU that within 8 days of service hereof on you inclusive of the day of such service if you intend to defend this suit you do cause an appearance to be entered at the Office of the Prothonotary of this Court in Melbourne AND TAKE NOTICE that in default of so doing the Court may proceed to hear this suit in your absence. If you intend to defend this suit you must also file an answer in the said Office within 21 days from the service of this Citation.

PLACE OF TRIAL: Melbourne

DATED the 18<sup>th</sup> 19<sup>th</sup> day of June 1951.



Supreme Court  
William Street  
MELBOURNE.

PROTHONOTARY

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

V

WEBB

SEARCH APPEARANCE



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

S E A R C H Appearance herein.

DATED the

12<sup>th</sup>

day of

November

1951.

*R. Swainson*

Solicitors for the Petitioner

To the Prothonotary  
Law Courts  
Melbourne.

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

V

AFFIDAVIT OF SERVICE

WEBB



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



IN THE SUPREME COURT  
OF VICTORIA

)  
)  
)  
1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

I HENRY HAWKINS GILLAM of 394 Collins Street Melbourne in the State of Victoria Solicitor make oath and say as follows:-

1. That the following advertisement duly appeared in the "Age" and the "Argus" newspapers published in Melbourne on the 5th day of October 1951 namely -

TO CARL WEBB formerly of Bromby Street South Yarra but now of parts unknown TAKE NOTICE that your wife DOROTHY JEAN WEBB has instituted divorce proceedings against you on the ground of desertion and that unless you enter an appearance in the Prothonotary's Office of the Supreme Court at Melbourne on or before the 29th day of October 1951 the case may proceed in your absence and you may be ordered to pay costs.

Now produced and shown to me and marked with the letters "A" and "B" respectively are copies of the said newspapers in which the said advertisement appears.

2. That service of the Petition and Citation herein was effected by the insertion of such advertisement as abovementioned pursuant to the Order of His Honour the Chief Justice made herein on the 28th day of September 1951.

SWORN at Melbourne in the State)  
of Victoria this *9th*)  
day of *November* 1951.)  
Before me:

*Henry S. Gillam*

*D. J. O'Connell*  
A Commissioner of the Supreme Court of Victoria for  
taking Affidavits

This Affidavit is filed on behalf of the Petitioner

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB )

V )

WEBB )

PRAECIPE TO SET DOWN



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

SET THIS CASE DOWN for trial by a Judge without a Jury at the  
next sittings of this Honourable Court in its Divorce and  
Matrimonial Causes Jurisdiction to be held at Melbourne.

DATED the

13<sup>th</sup>

day of

November

1951.



Solicitors for the Petitioner

To the Prothonotary  
Law Courts, Melbourne.

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION



WEBB

V

WEBB

NOTICE TO PRODUCE



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



IN THE SUPREME COURT  
OF VICTORIA

)  
)  
)  
1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

PLEASE PRODUCE to the Judge at the hearing of this suit all papers  
filed herein.

DATED the

12<sup>th</sup>

day of *December* 1951.

*Richard B. Smith*

Solicitors for the Petitioner

To the Prothonotary,  
Law Courts  
Melbourne.

19

IN THE SUPREME COURT

OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

WEBB )

V )

WEBB )

DECREE NISI



TO THE PETITIONER AND THE  
RESPONDENT

TAKE NOTICE that if either of you  
contract marriage before this  
Decree Nisi has been made  
absolute you will be guilty of  
bigamy.

*And Farrell*

Prothonotary

OSWALD BURT & CO.

Solicitors

394 Collins Street

MELBOURNE.

Solicitors for the Petitioner

IN THE SUPREME COURT

OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

-against-

CARL WEBB

Respondent

BEFORE HIS HONOUR MR. JUSTICE BARRY  
THURSDAY THE SEVENTEENTH DAY OF APRIL 1952

THIS CAUSE coming on to be heard this day before this Court in the presence of Counsel learned for the Petitioner no one appearing for the Respondent UPON READING the Order <sup>for substituted service made herein by</sup> of His Honour The Chief Justice

<sup>on</sup> made the 28th day of September 1951 AND IT APPEARING to this Court

that ~~service~~ of the Petition and Citation herein had been <sup>duly served</sup> effected

<sup>on the Respondent pursuant to</sup> in accordance with the said Order and that no appearance had been

entered herein by or on behalf of the Respondent UPON HEARING the <sup>said</sup>

Petition ~~herein~~ and the evidence of the several witnesses called on

behalf of the Petitioner taken upon their oral examination at the

hearing and what was alleged by Mr. Barber of Counsel for the

Petitioner THIS COURT DOTH ORDER AND DECREE that the marriage

celebrated between the Petitioner and the Respondent on the 4th

day of October 1941 at ~~St. Matthews~~ Prahran in the State of Victoria

by the Reverend John Bruce Montgomerie according to the rites of

the Church of England BE DISSOLVED on the ground that the Respondent

has without just cause or excuse wilfully deserted the Petitioner and

without any such cause or excuse left her continuously so deserted



during three years and upwards UNLESS within three months from  
the date of this Decree Nisi sufficient cause be shewn to this  
Court why this Decree Nisi should not be made absolute AND  
THIS COURT DOTH FURTHER ORDER that the question of ~~alimony~~ <sup>permanent maintenance</sup> be  
reserved AND that the Petitioner's costs of this cause be taxed  
and when taxed be paid by the Respondent to the Prothonotary  
for the Petitioner but not to be paid out to the Petitioner until  
this Decree Nisi shall have been made absolute.

By the Court

*Eric Stone*

Master

ENTERED the

*23<sup>rd</sup>*

day of

*May*

1952.

*Adm Farewell*

Prothonotary

*L. J. O'Connell*

*A. L.*





IN THE SUPREME COURT  
OF VICTORIA

1951 No.846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

WEBB

V

DECREE NISI

WEBB



TO THE PETITIONER AND TO THE  
RESPONDENT

*In leave  
23/5/52*

TAKE NOTICE that if either of you  
contract marriage before this  
Decree Nisi has been made absolute  
you will be guilty of bigamy.

*Done Farlane*

Prothonotary

OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner

IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

- against -

CARL WEBB

Respondent

BEFORE HIS HONOUR MR. JUSTICE BARRY  
THURSDAY THE SEVENTEENTH DAY OF APRIL 1952

THIS CAUSE coming on to be heard this day before this Court in the presence of Counsel learned for the Petitioner no one appearing for the Respondent AND IT APPEARING to this Court that the Petition and Citation herein had been duly served on the Respondent pursuant to the Order for substituted service made herein by His Honour The Chief Justice on the 28th day of September 1951 and that no appearance had been entered herein by or on behalf of the Respondent UPON HEARING the said Petition and the evidence of the several witnesses called on behalf of the Petitioner taken upon their oral examination at the hearing and what was alleged by Mr. Barber of Counsel for the Petitioner THIS COURT DOETH ORDER AND DECREE that the marriage celebrated between the Petitioner and the Respondent on the 4th day of October 1941 at Prahran in the State of Victoria by the Reverend John Bruce Montgomerie according to the rites of the Church of England BE DISSOLVED on the ground that the Respondent has without just cause or excuse wilfully deserted the Petitioner and without any such cause or excuse left her continuously so deserted during three years and upwards UNLESS within three months from the date of this Decree Nisi sufficient cause be shewn to this Court why this Decree Nisi should not be made absolute AND THIS COURT DOETH FURTHER ORDER that the question of permanent maintenance be reserved AND that the Petitioner's costs of this cause be taxed and when taxed be paid by the Respondent to the Prothonotary for

Received Original Decree Nisi herein  
28/1/52 Oswald Burdett

the Petitioner but not to be paid out to the Petitioner until this Decree Nisi shall have been made absolute.

By the Court

*Eric Vance*

Master

ENTERED the 23<sup>rd</sup> day of May 1952.

*Wm. Farlane*

Prothonotary



IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES  
JURISDICTION

21 JUL 1952

WEBB

V

WEBB

SEARCH DECREE ABSOLUTE



OSWALD BURT & CO.  
Solicitors  
394 Collins Street  
MELBOURNE.

Solicitors for the Petitioner



IN THE SUPREME COURT  
OF VICTORIA

1951 No. 846

DIVORCE AND MATRIMONIAL CAUSES JURISDICTION

DOROTHY JEAN WEBB

Petitioner

- against -

CARL WEBB

Respondent

SEARCH Decree Absolute herein.

DATED this

21<sup>st</sup>

day of

July

1952.



Solicitors for the Petitioner

To the Prothonotary  
Law Courts  
Melbourne.