

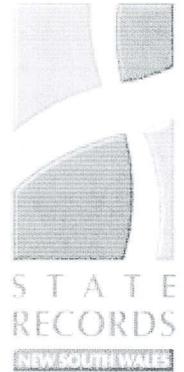
OFFICE USE ONLY

Xerox

46

Special Format

6



COPY ORDER FORM

ABN 96 588 554 718

Depending on staff commitments, orders for more than 20 photocopies may not be completed on the same day. Please check with staff. If the order cannot be completed on the same day you may need to complete a separate Photographic Order Form and prepayment may be required.

Your name: Robert Freestone

Reader's Ticket No.: _____ Date: 4/7/2005

Please flag pages with paper markers and write on the markers exactly what is to be copied.

Do not remove any pages from bundles

[13/12608]
Item number and title: 5158 of 1904 Divorce

Total xerox copies @ .45¢ per copy: _____

(Any item within a bundle that is over A3 in size will be copied on the Special Format scanner)

Total A3/A4 special format copies @ \$2.00 per copy: _____

Special Format Copying: Specialised Format Scanning is designed to protect and preserve all bound registers, volumes, maps and plans.

Depending on suitability of volume, staff will endeavour where possible to reproduce adjacent pages as an A3 copy. Please feel free to discuss this possibility with staff.

The cut off time for taking orders is usually 30 minutes before closing.

All completed copies are held at the desk until you ask for them.

Copies are usually ready for collection within 30 minutes of the order being taken. Please ensure that all photographic work is collected and checked before you leave.

As and from 1 July 2000, all prices have been adjusted as necessary to take into account the introduction of the Goods and Services Tax (GST) provided for in the *A New Tax System (Goods and Services Tax) Act 1999*.

OFFICE USE ONLY

Time requested

Time copied

Reprinted
Apr 2004

IN THE SUPREME COURT
OF NEW SOUTH WALES
MATRIMONIAL CAUSES JURISDICTION

No 5158.

SAUNDERS)
)
) A F F I D A V I T
)
) V
) of the Petitioner
)
) VASHTI SAUNDERS.
SAUNDERS)

Sworn

27th June 1906.



J. W. Anderson
Petitioner's Solicitor
INVERELL.

By his agent

J. R. Garland
56 Elizabeth Street
SYDNEY.

IN THE SUPREME COURT)
OF NEW SOUTH WALES)
MATRIMONIAL CAUSES JURISDICTION)

No 5158.

BETWEEN VASHTI SAUNDERS

Petitioner

and

JOHN WILSON SAUNDERS

Respondent.

ON the *twenty seventh* day of *June* in the year one thousand nine hundred and *six* VASHTI SAUNDERS of Bundarra in the State of New South Wales Married Woman being duly sworn maketh oath and saith as follows:-

1. THE above named Respondent was born at Rocky River in the District of Armidale in the said State on the twentieth day of March one thousand eight hundred and seventy and annexed hereto marked "A" is a true copy extract of a certificate of his birth.

2. THE said Respondent was residing in the said State at the date of his marriage and has always resided in the said State and for three years immediately preceding the institution of this suit at Woods Reef near Barraba in the said State.

3. THERE are issue of my marriage with the above named Respondent three children to wit Isa Mary Saunders now of the age of twelve years Ernest Winter Saunders now of the age of ten years and Jessie Winifred Saunders now of the age of eight years and the said children are now and always have been in my custody.

4. I desire that I may continue to have the custody

Justice of the Peace
A Justice of the Peace.
Sworn the *Twenty seventh* day of *June* 1906

Vashti Saunders

Deponent.

IN THE SUPREME COURT

OF NEW SOUTH WALES

No: 5158.

MATRIMONIAL CAUSES JURISDICTION

B E T W E E N VASHTI SAUNDERS

Petitioner

and

JOHN WILSON SAUNDERS

Respondent

NOTICE IS HEREBY GIVEN that on *Tuesday* the *24th* day of *July* at *ten* o'clock in the forenoon or so soon thereafter as the course of business will permit this Honorable Court will be moved on behalf of the Petitioner for a Decree Nisi in this suit dissolving the marriage of the said Petitioner with the said Respondent upon the grounds appearing in the findings of His Honor Mr Justice Cohen on the trial of the issues herein at the Circuit Court held at Tamworth on the thirteenth day of October last and upon the grounds appearing in the affidavit of James Wentworth Anderson sworn herein on the tenth day of July instant and the affidavit of the Petitioner sworn herein on the twenty seventh day of June last. AND for an Order that the said Petitioner do have the custody of the infant children of the said marriage AND that the Petitioner's costs of and incidental to this suit be paid by the Respondent.

DATED this *19th* day of July 1906.

J.W. Anderson

Solicitor for Petitioner--Inverell

by J. P. Garland - his Agent

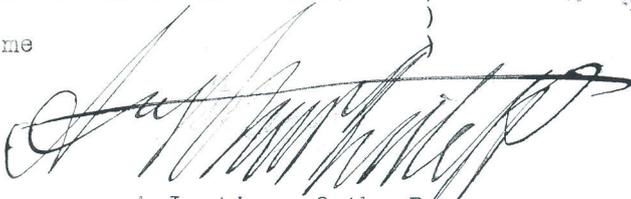
of my said children. The said Respondent has been and is now cohabiting continuously with one Eliza Johnson at Woods Reef aforesaid.

5. I have procured an order from a Police Magistrate against the said Respondent for the support of the said children but the said Respondent has not complied therewith and the moneys payable thereunder are in arrear.

6. I follow the occupation of a Dressmaker.

SWORN by the Deponent on the day)
first above mentioned at Bundarra)
Before me

Kasli Samuels.



A Justice of the Peace.

Sworn the Twenty seventh day of June 1906.

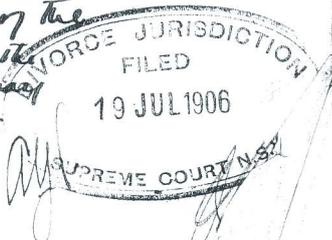
No 5158

In the Supreme Court
of New South Wales
Matrimonial Causes Jurisdiction

Saunders }
v }
Saunders } Notice of Motion
for
Dece Nisi on
findings on Circuit
and for custody
of children & costs

Cor. Simpson J
25.7.06
Judgt. reserved
WLSW
costs

Nothing to link me to anyone
here use. collusion or delay
Cor Simpson J
31.7.06
Dece Nisi on 1st, 2nd issues
return in 3 mos. Petitioner
to have custody of the
Child mentioned in the
petn. Resp'd to petn
Petn's costs of suit.
WLSW
costs



J. W. Anderson
J. W. Anderson
56 Elizabeth St, N.S.W.

IN THE SUPREME COURT OF
NEW SOUTH WALES.
MATRIMONIAL CAUSES
JURISDICTION.

BETWEEN

Nashki Saunders Petitioner,

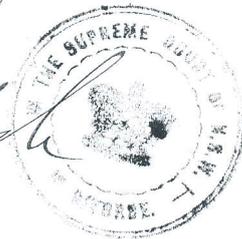
and

John Wilson Saunders Respondent.

IN pursuance of the 22nd Section of the "Matrimonial Causes Act, 1899," and on the request in writing by the Petitioner, I hereby submit the name of this suit to the Court for confirmation of the decree *nisi* herein, and I hereby certify that no matter in opposition to the final decree herein is now pending.

Dated this 29th day of *January* 1907.

C. M. M. C.



[Signature]

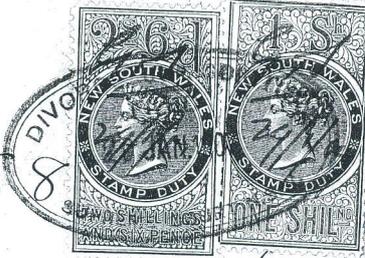
[Signature] Registrar.

IN THE SUPREME COURT OF NEW SOUTH WALES.

MATRIMONIAL CAUSES JURISDICTION.

No.

5758



7/6

7/6

*Saunders
v.
Saunders*

Certificate of
the Registrar
of no
Intervention..

*Checked by Cor Simpson J
12/2/07
S.A. with custody
of children JH*



*J. W. Anderson
J. Swirell
by Garland & Seaborn
14 Moore Street
Sydney.*

In the Supreme Court

Of New South Wales

Matrimonial Causes Jurisdiction

NO. - 5158.

BETWEEN Vashti Saunders

Petitioner

and

John Wilson Saunders

Respondent

EM

On the twelve day of January in the year one thous-

and nine hundred and seven Leslie Watson Saunderson Seaborn

of Sydney in the State of New South Wales Solicitor being duly sworn maketh oath and says as follows:-

I.-On the eighteenth day of August in the year one thousand nine hundred and six I duly served on the Crown Solicitor a copy of the Decree Nisi for dissolution of Marriage made herein on the thirty first day of July One thousand nine hundred and six by delivering such ^{copy} Decree Nisi to the Messenger at the office of the said Crown Solicitor. _____

Sworn by the Deponent on the day

first above mentioned at Sydney

before me. _____

Leslie Watson Seaborn

J. G. Hockley
of the State of N.S.W.

In the Supreme Court

of New South Wales

Matrimonial Causes Jurisdiction

NO:- 5158.



Saunders

-v-

Saunders.

Affidavit
on Crown Solicitor of
Decree Nisi by L.W.S.
Seaborn.-

Sworn 12th - January 1907

J. W. Anderson

Petitioners Solicitor

By:-

Inverell.

Garland & Seaborn

14 Moore Street

Sydney.-

In The Supreme Court
of New South Wales } 5° 5153.
Matrimonial Causes Jurisdiction

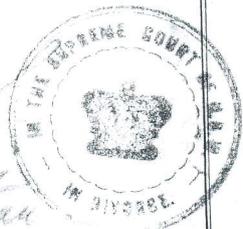
Vashti Saunders
— against —
John Wilson Saunders

Questions for the Judge

1. Whether Vashti Saunders the Petitioner was married to John Wilson Saunders the Respondent on the 17th of January 1893?
2. Whether the Respondent between the 1st of February 1904 and the 1st of September 1904 committed adultery with one Eliza Johnson at Newcastle in the State of New South Wales and at Woods reef near Barraba in the said State?
3. Whether the Respondent has been guilty of cruelty towards the Petitioner? —

L. R. M. C. S.

Registrar



No 5158

On the Supreme Court
of New South Wales
Matrimonial Causes
Jurisdiction

Saunders

v

Jessie

Saunders

Cor: Walker, J.

7:3:5

L.D.G.

N.W. & W.



J. W. Anderson
Solicitor for Petitioner
Inverell

By J.R. Garland
56 Elizabeth Street
Sydney

In the Supreme Court
of New South Wales
Marital Causes Jurisdiction

No. 5158

Between Vashti Saunders
Petitioner

and
John Wilson Saunders
Respondent.

Notice is hereby given that This Honorable Court
will be moved on behalf of the petitioner on
Tuesday the twenty second day of August instant
at ten o'clock in the forenoon or so soon thereafter
as the matter can be heard for an Order directing
that the issues herein be tried at the next
Circuit Court to be holden at Tamworth on
the tenth day of October next before a judge
without a jury.

Dated this 17th day of August A.D. 1905

J. M. Anderson

Solicitor for the Petitioner
by J. R. Garland, his agent
56 Elizabeth Street, Sydney.

In the Supreme Court
of New South Wales
Matrimonial Causes jurisdiction

No 5158

Saunders
v
Saunders } Notice of Motion
 } for
 } Change of Venue

Cor: Walker, J.

23:8:5

Iss: to be tried at next ~
Tamworth Cir: Ct by Judge
w/out a jury. N.M.G.H.



J. W. Anderson
Solicitor for Petitioner
Inverell.
by J. R. Garland
56 Elizabeth Street
Sydney.

In the Supreme Court
Of New South Wales
Jurisdictional Causes jurisdiction

No 5758

Between Vashti Saunders
Petitioner
and
John Wilson Saunders
Respondent

On the seventeenth day of August One thousand
nine hundred and five James Robert Garland
of 56 Elizabeth Street Sydney in the State of New
South Wales Solicitor being duly sworn maketh
oath and saith as follows: _____

1. I am the town agent of the Solicitor for the above-
named Petitioner. _____

2. By an order made herein on the twenty eighth
day of March last it was ordered that this suit be heard
at the Armidale Circuit Court commencing on the nineteenth
day of April then next without a jury. _____

3. I am informed and verily believe that the hearing
of the said suit at Armidale went over in consequence
of time allotted for the sitting of the said Circuit Court
expiring before the said suit could be heard. _____

4. The abovenamed Petitioner is now desirous that the
issues herein should be tried at the next Circuit Court to
be holden at Tamworth on the tenth day of October
next before a judge without a jury. _____

Sworn by the Respondent on the
day just above mentioned at
Sydney before me. _____

James R. Garland
A Commissioner for Affidavits

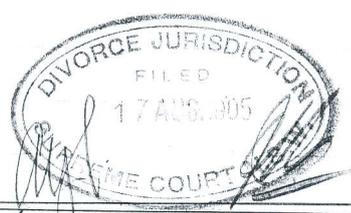
J. R. Garland

In the Supreme Court
of New South Wales
Matrimonial Causes Jurisdiction

No 5158

Saunders } Affidavit of
 } James Robert Garland
v } in support of an
Saunders } application for
 } change of venue

Sworn 17th August 1905



W Anderson
Plaintiff's Solicitor
Swereil
by J. R. Garland
56 Elizabeth Street, Sydney.

In the Supreme Court
of New South Wales
Matrimonial Causes Jurisdiction

No. 5158

Between Vashti Saunders
Petitioner

and
John Wilson Saunders
Respondent

On the sixteenth day of March one Thousand nine hundred and five James Newkorth Anderson of Inverell in the State of New South Wales Solicitor being duly sworn maketh oath and saith as follows:—

1. I am the solicitor for the above named
Petitioner

2. This suit was called on for hearing
at Sydney on the seventh day of March
instant and on the application of my
Sydney agent Mr. James Robert Gartaud was
ordered to stand over generally

3. The above named Respondent has
not entered any appearance to this suit
and I verily believe has not taken any
steps to defend the same.

4. The above named Petitioner is desirous
that this suit should be heard at the Circuit
Court sitting at Armidale on the fourteenth
day of April next ensuing Bundarra where
my clients sides is only fifty four miles from

Richard Isaac Esq
Justice of the Peace
Dated 16th March 1905.

V. Saunders
Deponent

Armidale aforesaid - her witnesses also reside at Bundarra or in the neighbourhood thereof and much expense will be avoided if the venue of this suit be changed to Armidale aforesaid - moreover my client is in very poor circumstances financially and has not the means wherewith to journey to Sydney for the purpose of prosecuting this suit -

5 - The abovenamed Respondent resides at Wood's Reef near Barraba in this State and in the event of him desiring to be heard on the hearing of this suit it would be much more convenient for him to attend the sittings of this Honorable Court at Armidale than to journey to Sydney by reason of the fact that Wood's Reef is comparatively much nearer to Armidale than to Sydney

Sworn by the Deponent on
the day first above mentioned
at Inverell Before me.

H. A. A. A.

C. L. J. J.

A Justice of the Peace

Dated 16th March 1905.

In the Supreme Court
of New South Wales
Matrimonial Causes
Jurisdiction

No. 5158.

<u>Saunders</u>	<u>Affidavit</u>
<u>a.</u>	<u>James Wentworth</u>
<u>Saunders</u>	<u>Anderson</u>
	<u>in support of an</u>
	<u>application for</u>
	<u>change of venue.</u>

Sworn before me
21 March 1905.



J. M. Anderson
Solicitor
Amwell

By J. Garland
56 Elizabeth St Sydney

In the Supreme Court
of New South Wales
Matrimonial Causes Jurisdiction }

No 5158

Between Washi Saunders
Petitioner
and

John Wilson Saunders
Respondent

Notice is hereby given that This Honorable
Court will be moved on behalf of the
petitioner on Tuesday the twenty eighth
day of March — at ten o'clock
in the fore noon or as soon
thereafter as the matter can be heard for
an order directing that the issues herein
be tried at the next Circuit Court to
be holden at Armidale on the four-
teenth day of April next before a Judge
without a jury

Dated this twenty first day of March A.D. 1905

J. W. Huterson

Solicitor for the petitioner
Armidale

by J. R. Garland
56 Elizabeth Street
Sydney.

In the Supreme Court
of New South Wales
Matrimonial Causes Jurisdiction

No 5158

Saunders } Notice of
 } Motion
 vs } for
Saunders } Change of
 } Venue _____

Cor: Walker, J.

28:3:5

Iss: directed to be tried by present
J. in Divorce at Armidale.
Circuit. N.W.S.W.



J. W. Anderson
Solicitor for petitioner
Inverell
By A. R. Garland
56 Elizabeth Street
Sydney.

In the Supreme Court
New South Wales
Constitutional Causes Jurisdiction }

no 5158.

Between Nashli Saunders
petitioner
_____ and _____

John Wilson Saunders
Respondent

Wednesday the twenty third day of August
in the year One thousand nine hundred
and five. _____

Upon Reading the notice of motion filed herein on
the seventeenth day of August instant and upon
reading the Order made herein on the twenty eighth
day of March last and the affidavit of James
Robert Garland sworn the seventeenth day of
August instant and upon hearing etc^r James
Robert Garland the town agent of the solicitor
for the abovenamed petitioner Nashli Saunders
It is Ordered that the issues herein be tried
at the Tamworth Circuit Court commencing
on the tenth day of October next ensuing before
a Judge without a Jury _____

By the Court

Arthur G. Saddington *AS*

Deputy Registrar

J.H.
Anderson
solicitor for the petitioner

Erwell

J. R. Garland
20 Elizabeth Street
Sydney.

In the Supreme Court
of New South Wales
of matrimonial causes jurisdiction

no 5158

Saunders } ^{copy} Order }
 } directing issues }
_ v _ } to be tried at }
 } Tamworth }
Saunders } Circuit Court }



J. W. Anderson
Inverell
by J. R. Garland
56 Elizabeth Street
Sydney.

In the Supreme Court
Of New South Wales
Matrimonial Causes Jurisdiction }

No 5138

Between Vashti Saunders
Petitioner
_____ and _____

John Wilson Saunders
Respondent

Tuesday the twenty eighth day of March in the
year one thousand nine hundred and five

Upon reading the Notice of Motion filed herein on the twenty
first day of March instant and upon reading the affidavit
of John Sachlan Gillies sworn on the eighteenth day of
October last, the affidavit of James Robert Garland sworn
the twenty third day of November last and the affidavit of
James Wentworth Anderson Solicitor for the petitioner
sworn on the sixteenth day of March instant And
upon hearing M^r. J. R. Garland the Town Agent of the
Solicitor for the abovenamed petitioner Vashti Saunders
It is Ordered that this suit be heard at the Armistice
Circuit Court commencing on the fourteenth day of
April next ensuing without a jury. _____

By the Court

Arthur G. Saddington (LS)

J. W.

J. W. Anderson
Solicitor for the petitioner
Amorell

By J. R. Garland
56 Elizabeth Street
Sydney

Deputy Registrar

In the Supreme Court
of New South Wales
Matrimonial Causes Jurisdiction

Armidale

No 5158

Saunders }
 } Copy
 } Order
— v — } directing suit to
 } be heard at
Saunders } Armidale Circuit
 } Court.



J. W. Anderson
Inverell
By J. K. Garland
56 Elizabeth Street
Sydney.

IN THE SUPREME COURT)
OF NEW SOUTH WALES)
MATRIMONIAL CAUSES JURISDICTION)

No 5158.

BETWEEN VASHTI SAUNDERS

Petitioner

and

JOHN WILSON SAUNDERS

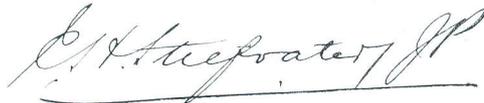
Respondent.

ON the *tenth* day of *July* in the year one thousand nine hundred and six JAMES WENTWORTH ANDERSON of Inverell in the State of New South Wales Solicitor being duly sworn maketh oath and saith as follows:-

1. I am the Solicitor for the abovenamed Petitioner.
2. THE issues herein were tried at the Tamworth Circuit Court on the thirteenth day of October one thousand nine hundred and five before His Honor Mr Justice Cohen.
3. THE Respondent did not appear.
4. THE findings were as follows:-

"All issues found in favor of Petitioner".

SWORN by the Deponent on the day }
first above mentioned at Inverell }
Before me)



A Justice of the Peace.

IN THE SUPREME COURT
OF NEW SOUTH WALES
MATRIMONIAL CAUSES JURISDICTION

No 5158.

SAUNDERS)
)
) A F F I D A V I T
)
) as to result of trial
V)
)
) by
)
) J. W. ANDERSON.
SAUNDERS)

Sworn *10th July* 1906.



J. W. Anderson
Petitioner's Solicitor
INVERELL.

By his agent
J. R. Garland
56 Elizabeth Street
SYDNEY.

IN THE SUPREME COURT
OF NEW SOUTH WALES
MATRIMONIAL CAUSES JURISDICTION

No: 5158.

VASHTI SAUNDERS

against

JOHN WILSON SAUNDERS

Q U E S T I O N S FOR THE JUDGE.

1. WHETHER Vashti Saunders the Petitioner was married to John Wilson Saunders the Respondent on the 17th of January 1893 ?

3 2. WHETHER the Respondent has ~~during three years and upwards~~ ~~habitually~~ been guilty of cruelty towards the Petitioner ?

2 3. WHETHER the Respondent between the 1st of February 1904 and the 1st of September 1904 committed adultery with ^{the} Eliza Johnson at Newcastle in the State of New South Wales, and at

Woods Reef near Barraba in the said State ? _____

Issues to be tried at
Sydney next sittings
Ayl.
25/11/04

Settled as altered
Arthur G Saddington
Deputy Registrar
25/11/04

CTO 5158-

In the Supreme Court
of New South Wales
Matrimonial Causes Jurisdiction

Saunders }
— v — } Draft Issues
Saunders }



J. W. Anderson
Solicitor for petitioner
Irwell

By J. R. Garland
56 Elizabeth Street
Sydney -

IN THE SUPREME COURT
OF NEW SOUTH WALES
MATRIMONIAL CAUSES JURISDICTION

No 5158.

BETWEEN VASHTI SAUNDERS

PETITIONER

and

JOHN WILSON SAUNDERS

RESPONDENT

ON the *eighteenth* day of *October* in the year one thousand nine hundred and four *John Lachlan Gillies* of *Barraba* in the State of New South Wales *being* being duly sworn maketh oath and says as follows:-

1 — ON the *eighteenth* day of *October* one thousand nine hundred and four at *King Solomon's mine Wood, Reef* in the State of New South Wales I duly served the abovenamed Respondent John Wilson Saunders with the Petition and Citation in the above suit by delivering to the said Respondent personally a copy of the said Petition duly certified as correct in the office of the Registrar of this Court and sealed on each page thereof with the impress seal of the said Court and which said copy Petition had endorsed ^{thereon} a Citation issued out of the office of the said Court addressed to the said Respondent calling on him to appear thereto within twentyeight days after service thereof. The said Citation was signed "For the Registrar John Geo Leary Chief Clerk." and was sealed with the impress seal of the said Court. There was also endorsed on the said copy Petition the address of the town agent of the Solicitor for the said Petitioner at No 56 Elizabeth Street Sydney.

SWORN by the deponent on the day first
above mentioned at *Barraba*
before me

William Mall

John L Gillies
usual signature
S D Bartlett
Barraba

A Justice of the Peace.

I N T H E S U P R E M E C O U R T
O F N E W S O U T H W A L E S
M A T R I M O N I A L C A U S E S J U R I S D I C T I O N

SAUNDERS

v

SAUNDERS

A F F I D A V I T

of service of Petition

and Citation by John

Lachlan Gillies on

J. W. Saunders at

Woods Reef.

Sworn ~~nineteenth~~^{eighteenth} day of October 1904.



J.W. Anderson

Solicitor for Petition

INVERELL.

By
J.R. Garland

56 Elizabeth Street
SYDNEY.



IN THE SUPREME COURT
OF NEW SOUTH WALES
MATRIMONIAL CAUSES JURISDICTION

No: 5158.

B E T W E E N VASHTI SAUNDERS
Petitioner
_____ and _____
JOHN WILSON SAUNDERS
Respondent

On the Twenty second day of November in the year One thousand nine hundred and four JAMES ROBERT GARLAND of Sydney in the State of New South Wales Solicitor being duly sworn makes oath and says as follows: _____

1. I am the town agent of James Wentworth Anderson of Inverell the Solicitor for the above named Petitioner. _____
2. The time limited by the citation herein for appearance by the above named Respondent has expired and I have this day searched in the proper office of this Honorable Court and find that no appearance has been entered in this suit by or on behalf of the said Respondent. _____

SWORN by the deponent on the day
first above mentioned, at Sydney
Before me [Signature]
A Commissioner for Affidavits.

J. R. Garland
[Signature]

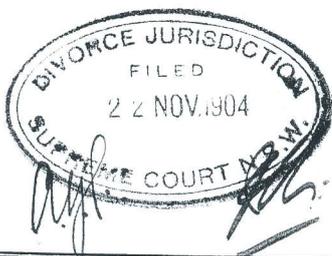
CTO 5158.

In the Supreme Court
of New South Wales
Matrimonial Cause Jurisdiction

Saunders
- v -
Saunders

Affidavit of
Search for app.
-earance by
J. R. Garland

Sworn 22nd Nov^r 1904



J. W. Anderson
Solicitor for petitioner
Inverell

By J. R. Garland
56 Elizabeth Street
Sydney.

IN THE SUPREME COURT

OF NEW SOUTH WALES

MATRIMONIAL CAUSES JURISDICTION

No

BETWEEN VASHTI SAUNDERS

PETITIONER

and

JOHN WILSON SAUNDERS

RESPONDENT.

db
ON the *first* day of *October* in the year one thousand nine hundred and four VASHTI SAUNDERS of Bundarra in the State of New South Wales Married Woman being duly sworn makes oath and says as follows:-

1. I am the above-named Petitioner and was on the seventeenth day of January one thousand eight hundred and ninety three lawfully married to John Wilson Saunders the above-named Respondent at Tamworth in New South Wales by the Reverend Andrew Armstrong according to the rites of the Presbyterian Church:-

db
2. I was born at Bingara in the State aforesaid on the eleventh day of June one thousand eight hundred and seventy five and am at the present time and have been for three years and upwards domiciled in New South Wales. My husband the said

Richard
A Commissioner for Affidavits
Dated 1st day of October 1904.

Vashti Saunders
Deponent

John Wilson Saunders the above-named Respondent was born at Barraba in the State aforesaid on the twenty-first day of March one thousand eight hundred and seventy one and was at the time of the institution of this suit domiciled in New South Wales:-

3. There has been issue of my marriage with the above-named Respondent three children to wit Isa Mary Saunders now of the age of eleven years Ernest Winter Saunders now of the age of nine years and Jessie Winifred Saunders now of the age of seven years:-

4. MY said husband John Wilson Saunders the above-named Respondent has during three years and upwards habitually been guilty of cruelty towards me:-

AS
5. ^{During} ~~Between~~ the month of February one thousand nine hundred and four my said husband the said John Wilson Saunders committed adultery with Eliza Johnson at Newcastle in the said State and at Wood's Reef near Barraba in the said State and between the month of February one thousand nine hundred and four and the month of September one thousand nine hundred and four my said husband the said John Wilson Saunders cohabited continuously with the said Eliza Johnson and lived with her as her husband:-

6. No collusion or connivance exists between me this deponent and my said husband the said John Wilson Saunders or any

AS
a Commissioner for affidavits
Dated 1st day of October 1904.

W. Saunders
Deponent

other person or persons whomsoever.

SWORN by the deponent on the day

first above mentioned at Inverell

Before me

Vashti Saunders



A Commissioner for Affidavits.

Dated 1st day of October 1904.

No. 5758

~~A.D. 18~~

In the Supreme Court
 OF NEW SOUTH WALES.
Matrimonial Causes Jurisdiction

Saunders
 v
Saunders

} PRÆCIPÉ
 FOR
 SUBPÆNA.



J. W. Anderson
 Inverell
 By A. R. Garland

R. T. Kelly, Printer, 27 and 29 Rowe Street, Sydney.
 56 Elizabeth Street
 Sydney.

In the Supreme Court }
OF NEW SOUTH WALES.
Matrimonial Causes Jurisdiction }

No. 5158

A.D. 1895

BETWEEN Nashti Saunders

Petitioner
Plaintiff

and

John Wilson Saunders

Respondent
Defendant

Præcipe for Subpœna ad testificandum for two witnesses

on behalf of the *Petitioner* _____ returnable ~~the~~ at
The Court House *Sydney* on the _____
fourteenth day of *April* instant _____

Dated this *First* day of *April* A.D. 1895

A. W. Anderson
Jurcell

Solicitor for the Petitioner
ATTORNEY,

by A. R. Garland
56 Elizabeth Street
Sydney.

In the Supreme Court
OF NEW SOUTH WALES,
Matrimonial Causes Jurisdiction

No. 5158

A.D. 1899

BETWEEN

Washie Saunders

Petitioner
Plaintiff

and

John Wilton Saunders

Respondent
Defendant

Præcipe for Subpœna *ad testificandum* for two witnesses
on behalf of the Petitioner returnable ~~the~~ at
the Court House Parramatta on the eleventh
day of October next

Dated this Eleventh day of September A.D. 1899

J. W. Anderson
Inverell
Solicitor for the Petitioner
ATTORNEY,
by J. H. Garland
56 Elizabeth Street, Sydney

No.

5758

~~A.D. 18~~

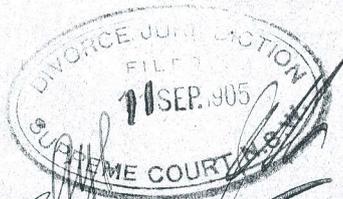
In the Supreme Court

OF NEW SOUTH WALES.

Matrimonial Causes Jurisdiction

Saunders
v
Saunders

} PRÆCIPE
FOR
SUBPENA.



J. W. Anderson

Inverell

~~Subscribed~~

by J. K. Garland

56 Elizabeth Street Sydney

R. T. Kelly, Printer, 27 and 29 Rowe Street, Sydney.

IN THE SUPREME COURT

OF NEW SOUTH WALES

No:5158.

MATRIMONIAL CAUSES JURISDICTION

B E T W E E N VASHTI SAUNDERS

Petitioner

and

JOHN WILSON SAUNDERS

Respondent

I the above-named Petitioner Vashti Saunders DO HEREBY REQUEST
that the Decree Nisi for dissolution of marriage pronounced
herein on the thirty first day of July last may be made
absolute

DATED this *Thirteenth* day of November One
t thousand nine hundred and six.

P e t i t i o n e r

Vashti Saunders.

No: 5158.

IN THE SUPREME COURT
OF NEW SOUTH WALES
MATRIMONIAL CAUSES JURISDICTION



SAUNDERS

- v -

SAUNDERS

F. J. C.
REQUEST by

Petitioner that Decree

Nisi be made absolute.



J.W. Anderson

Inverell

by Garland & Seaborn
14 Moore Street, Sydney.

DECLARATION BEFORE DISTRICT REGISTRAR OR MINISTER.

Man's name, residence, condition, and employment.

Oath or Declaration by Affirmation. Majority attained or written consent. Section 10, 19 Vic. No. 30.

Woman's name,

Residence, condition, and employment.

I, John William Saunders Goldsmith, Bachelor being duly sworn, do on my oath declare ~~[or]~~ do solemnly and sincerely declare and affirm that I have attained the age of twenty-one years ~~[or]~~ that I have duly obtained the written consent required by the "Marriage Act," nineteenth Victoria number thirty, and I believe there is no impediment or lawful objection, by reason of any kindred, relationship, or alliance, or any former marriage, or the want of consent of parents or guardians, or any other lawful cause, to my being married to Leah Duncombe residing with her Parents, Spinkola of St. George's Park daughter of Leah Duncombe and I hereby further declare that I have full knowledge that if I swear or affirm falsely I shall be guilty of perjury, and be liable to be punished accordingly.

John William Saunders

Woman's name and condition.

Oath or Declaration by Affirmation. Majority attained or written consent. Section 10, 19 Vic. No. 30.

Man's name.

AND I, the said Leah Duncombe being duly sworn, do on my oath declare ~~[or]~~ do solemnly and sincerely declare and affirm that I have attained the age of twenty-one years ~~[or]~~ that I have duly obtained the written consent required by the "Marriage Act," nineteenth Victoria number thirty, and I believe there is no impediment or lawful objection, by reason of any kindred, relationship, or alliance, or any former marriage, or the want of consent of parents or guardians, or any other lawful cause, to my being married to John William Saunders and I hereby further declare that I have full knowledge that if I swear or affirm falsely I shall be guilty of perjury, and be liable to be punished accordingly.

Leah Duncombe

DECLARED and sworn ~~[or]~~ and affirmed by both the parties named this thirteenth day of January, 1893, before me,

Andrew Chisholm Minister or Registrar.

19 Vic. No. 30, Section 12.

Father; Guardian by appointment; Mother; Guardian of Minors.

THE CONSENT OF Leah Duncombe being the Father of the Bride was given in writing to the marriage of Leah Duncombe the said Leah Duncombe with John William Saunders being under the age of twenty-one years.

Andrew Chisholm Minister or Registrar.

SCHEDULE.

(55 Vic. No. 34.)

CERTIFICATE OF MARRIAGE.

Insert Christian and Surname in full of Minister or Registrar.

I, Andrew Armstrong M. A. Edin. being

Insert Designation.

Presbyterian Minister of Tamworth,

Place.

do hereby Certify, that I have this day, at Tamworth,

duly celebrated Marriage between

Insert Christian and Surname of the Husband at full length.

John Wilson Saunders,

Insert Designation, Residence, and Condition of Husband.

Gold-miner Swamp Oak, Bachelor,

and

Insert Christian and Surname of the Wife at full length.

Residing with her Parents, Swamp Oak,

Insert Designation, Residence, and Condition of Wife.

Spinster,

after Declaration duly made before me, as by law required.

DATED this 14th day of January 1893

Andrew Armstrong } Signature of Minister or Registrar.

Signatures of Parties to the Marriage.

John Wilson Saunders

Mabel Anncombe

Signatures of Witnesses.

Louis Hunter Anncombe

Mabel Anncombe

"The declaration on the back hereof must be duly made and signed, otherwise the parties and the officiating Minister or Registrar are liable to the punishment by law provided in that behalf."

Handwritten notes:
Anncombe / Saunders
EXHIBIT A
13/10/93
Cohen, J.

Family Law Division.

Mrs C. Cosgrove.
25 Epakris Avenue,
CARINGBAH N.S.W. 2229

30 December 1983.

Dear Madam,

With reference to your recent application for information concerning the divorce of Vashti Duncombe and John Wilson Saunders; The information available is as follows:

Vashti Duncombe was born on the 11.6. 1875.
at Bundarra in the state of New South Wales.

John Wilson Saunders was born on the 20.3. 1870.
at Wood's Reef near Barraba in the state of New South Wales.

The parties were married on the 17.1.1893.
at Tamworth. The occupation of John Wilson Saunders was that
of gold-miner.

On the 5.10.1904 Vashti Duncombe filed for a
dissolution of marriage from John Wilson Saunders on the grounds of
cruelty and adultery. A decree nisi was granted on the 29.1.1907.
There is no further record on file of the decree becoming absolute/

There were three children of the marriage.
Isa Mary Saunders, Ernest Winter Saunders and Jessie Winifred
Saunders. In 1904 when the divorce proceedings had just commenced
the ages of the children were 11,9 and 7 respectfully.

Hoping this information is of assistance to you.

Yours faithfully.

G.K. Whalan.

Registrar.

per: *S. Stanbridge*

In the Supreme Court
Of New South Wales
Matrimonial Causes Jurisdiction

5158



Saunders

Decree of Divorce

Saunders

Take Notice that if you Marry
again before this Decree shall have
been made absolute you will be
guilty of Bigamy - Section 2B of the
Matrimonial Causes Act 1899
Provides that the respective Parties
to a suit for dissolution of
Marriage may marry again as if
the Marriage had been dissolved
by death where but not before

(a) The time limited for appealing

against a decree absolute has
expired and no appeal has
been presented or

(b) Any such appeal is dismissed
or

(c) In the result of any appeal
the marriage is declared to
be dissolved



William G. Sullivan
Deputy Registrar

To the Petitioner and
Respondent respectively

29 JAN 1951

J. W. Anderson
Juror

by J. R. Garland
56 Elizabeth Street
Dorset

In the Supreme Court
of the New South Wales
National Causes Jurisdiction

No 5158

Between Nashti Saunders

and Petitioner

John Wilson Saunders
Respondent

Thursday the thirty first day of July one thousand nine
hundred and six

This suit coming on to be heard and debated and the issues
pled herein to be tried on the thirteenth day of October last

at Tamworth before His Honor Mr Justice Cohen in pursuance of an Order made herein on the twenty third day of August last. And upon reading the pleadings filed herein and upon hearing the evidence given viva voce by and on behalf of the above named petitioner and upon hearing what was alleged by Mr J. W. Anderson Solicitor for the said petitioner no one appearing for the above named Respondent His Honor found the following issues in favor of the Petitioner that is to say:

1. Whether Naskhi Saunders the Petitioner was married to John Wilson Saunders the Respondent on the 14th of January 1893?
2. Whether the Respondent between the 1st of February 1904 and the 1st of September 1904 committed adultery with one Elna Johnson at Newcastle in the State of New South Wales and at Woods Reef near Barraba in the said State?
3. Whether the respondent has been guilty of cruelty towards the Petitioner.



And afterwards on Motion made the twenty fifth day of July instant and this day before The Honorable George Bowen Simpson Judge of the matrimonial Causes Court for a Decree Hui to be pronounced on the said findings Whereupon and upon reading the said proceedings and the Notice of Motion for the said Decree Hui, the affidavit of the Petitioner sworn herein on the twenty seventh day of June last and the affidavit of James Wentworth Anderson sworn herein on the tenth day of July instant And upon hearing Mr J. P. Garland the agent of the Solicitor of the Petitioner no one appearing for the Respondent.

This Court doth Order and Decree

1. That the marriage of the Petitioner with the Respondent be dissolved unless within three months from this day any person shall show cause to this Court why this Decree should not be made absolute or unless the

Crown Solicitor shall under the direction of the Attorney General and by leave of the Court Intervene or unless it shall otherwise appear that this Decree should not be made absolute

2. That the said Petitioner do have the sole and permanent Custody of the infant issue of the said Marriage namely Ian Mary Saunders Ernest Winter Saunders and Jessie Winifred Saunders

3. That the Expenses Costs of the Petitioner of this suit be taxed by the proper Officer of this Court and when so taxed and certified be paid by the Respondent into Court within fourteen days after service of a copy of the Registrar's Certificate of the amount allowed on Taxation and be paid out of Court after this Decree has been made absolute to the Petitioner or to

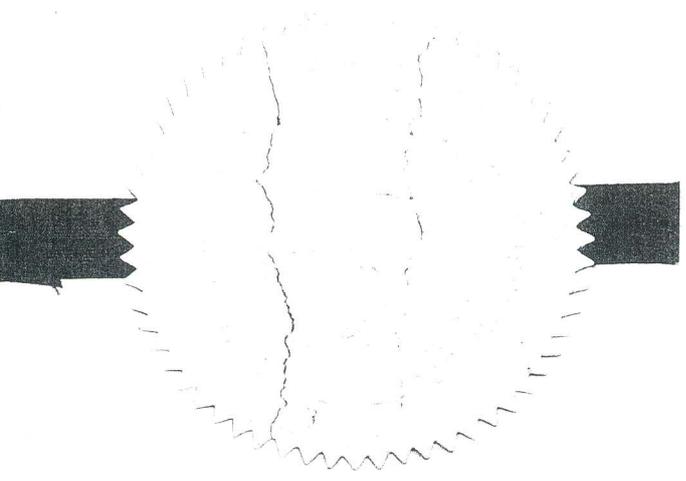


Mr. J. M. Anderson her decision on to Mr. J. R.
Barland his agent.

By the Court.

Arthur G. Washburn

Deputy Registrar



IN THE SUPREME COURT
OF NEW SOUTH WALES
MATRIMONIAL CAUSES JURISDICTION.

5/58

in re VASHTI SAUNDERS (formerly Vashti
Duncombe) of Bundarra in the State of
New South Wales wife of John Wilson
Saunders of Wood's Reef near Barraba
in the said State Miner.

3K 8055

P E T I T I O N
for dissolution of marriage.



J.W. Anderson

Solicitor for the Petitioner

INVERELL.

By J.R. Garland
56 Elizabeth Street
SYDNEY.

EDWARD THE SEVENTH by the Grace of God of the United Kingdom of
Great Britain and Ireland and of the British Dominions beyond
the Seas King Defender of the Faith, Emperor of India.

To the within-named Respondent

JOHN WILSON SAUNDERS.

WHEREAS Vashti Saunders claiming to have been lawfully married
you the within-named Respondent has filed her petition in the
Divorce and Matrimonial Causes Jurisdiction of our said Court
praying that her said marriage may be dissolved wherein the said
Vashti Saunders alleges that you have during three years and
upwards habitually been guilty of cruelty towards her and also that
you have been guilty of adultery NOW THIS TO COMMAND you that within
twenty eight days after service hereof on you inclusive of the day
of such service you cause an appearance to be entered for you in
our said Court And take notice that in default of your so doing
our said Court will proceed to hear the said charges proved in due
course of law and to pronounce sentence therein your absence
notwithstanding And further take notice that for the purpose
aforesaid you are to attend in person or by your Solicitor at the
Divorce Office Supreme Court House King Street Sydney and there
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 or Solicitor at any stage of ^{the} proceedings in the case.
WITNESS the Honorable George Bowen Simpson Judge in the
Matrimonial Causes Jurisdiction of the Supreme Court of
New South Wales at Sydney the day of *October*
in the year of our Lord one thousand nine hundred and
four and in the *Fourth* year of our Reign.

Registrar.

5.- THAT during the month of February one thousand nine hundred and four your Petitioner's husband the said John Wilson Saunders committed adultery with Eliza Johnson at Newcastle in the said State and at Wood's Reef near Barraba in the said State and between the month of February one thousand nine hundred and four and the month of September one thousand nine hundred and four your Petitioner's husband cohabited continuously with the said Eliza Johnson and lived with her as her husband.

Your Petitioner therefore humbly prays:-

1. That your Honor will be pleased to decree that the marriage of your Petitioner with her said husband be dissolved.
2. That your Petitioner may have the custody of the said Isa Mary Saunders Ernest Winter Saunders and Jessie Winifred Saunders the issue of the said marriage.
3. And that your Petitioner may have such further and other relief in the premises as to your Honor may seem meet.

Witness

A. Boyd
Commissioner for Affidavits

Vashti Saunders

Note:- This Petition is filed by James Wentworth Anderson of Otho Street Inverell Solicitor for
Vashti Saunders of Bundarra the above-named Petitioner by his agent James Robert Garland of No
56 Elizabeth Street Sydney.

IN THE SUPREME COURT
OF NEW SOUTH WALES
MATRIMONIAL CAUSES JURISDICTION

TO

THE HONORABLE GEORGE BOWEN SIMPSON

JUDGE of the Matrimonial Causes Court

In re VASHTI SAUNDERS (formerly Vashiti Duncombe) of
Bundarra in the State of New South Wales wife of John
Wilson Saunders of Wood's Reef near Barraba in the said
State Miner.

The *first* day of *October* one thousand nine hundred and four.

The Petition of VASHTI SAUNDERS

1 THAT your Petitioner was on the seven-teenth day of January one thousand eight hundred and ninety three lawfully married to the said John Wilson Saunders at Tamworth in New South Wales by the Reverend Andrew Armstrong according to the rites of the Presbyterian Church.

2 THAT your Petitioner was born at Bingara in the State of New South Wales on the eleventh day of June one thousand eight hundred and seventy five and is at the present time and has been for three years and upwards domiciled in New South Wales. That your Petitioner's husband the said John Wilson Saunders was born at Barraba in the State of New South Wales on the twenty first day of March one thousand eight hundred and seventy one and was at the time of the institution of this suit domiciled in New South Wales.

3 THAT your Petitioner and her said husband have had issue of their said marriage three children to wit Isa Mary Saunders now of the age of eleven years Ernest Winter Saunders now of the age of nine years and Jessie Winifred Saunders now of the age of seven years.

4 THAT your Petitioner's husband has during three years and upwards habitually been guilty of cruelty towards your Petitioner.

Witness

A. R. R. R.

Commissioner for Affidavits

Kashti Saunders
Petitioner