

10164

Helen Duffey

VS

Royal William Duffey

## Chancery Files

of the

Circuit Court of  
Cook County

John E. Conroy

Gen. No. 366-10164

Docket No. 138

Page 353

Register 117

Judge FINNEGAN

Decree 19

Fee Book 381-451

Execution No. \_\_\_\_\_

DISPOSED OF BY

No.

36C10164

CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

Affidavit of Non-Residence

REGISTERED

SEP 5 1936

JOHN E. CONROY  
CLERK CIRCUIT COURT

Teed, Kammermann & Johnson

Compl's Sol'r.

111 W. Washington St.

Address

Phone

Cen. 7162



STATE OF ILLINOIS, }  
COUNTY OF COOK } ss.

CIRCUIT COURT OF COOK COUNTY

August

Term, A. D. 1923

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

IN CHANCERY.

36C10164

Helen Duffey

being duly sworn, deposes and says that

*Royal William Duffey*

defendant reside ~~8~~ out of this State ~~on the inquiry cannot be found~~  
~~concealed within this State~~, so that process cannot be served upon him  
~~that upon due and diligent inquiry~~ place of residence cannot be ascertained, and affiant  
further states that the present place of residence of such  
defendant is 2400 Melrose Ave., Columbus, Ohio,

and further deponent sayeth not.

Subscribed and sworn to before me this 5th

day of September

A. D. 1923

NOTARY PUBLIC.

*Helen Duffey*





No.

36C10164

In the Circuit Court  
of  
Cook County, Illinois.

HELEN DUFFEY  
VS.

ROYAL WILLIAM DUFFEY

COMPLAINT IN CHANCERY  
FOR DIVORCE.

PAID  
1936 SEP 5 AM 11 44  
PER JOHN E. CONROY  
CLERK  
FILED

1936 SEP 5 AM 11 41

JOHN E. CONROY  
CLERK

REGISTERED  
SEP 5 1936  
JOHN E. CONROY  
CLERK OF THE CIRCUIT COURT

PAID \$15.00

TEED, KAMMERMANN & JOHNSON  
ATTORNEYS AND COUNSELORS AT LAW  
111 W. WASHINGTON STREET  
CHICAGO  
TELEPHONE CENTRAL 7162



STATE OF ILLINOIS  
COUNTY OF COOK

} SS.

IN THE CIRCUIT COURT OF COOK COUNTY

36C10164

HELEN DUFFEY

-VS-

ROYAL WILLIAM DUFFEY

} COMPLAINT IN CHANCERY FOR DIVORCE.

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT  
OF COOK COUNTY, ILLINOIS  
IN CHANCERY SITTING:

Now comes the plaintiff, HELEN DUFFEY, and respectfully represents as follows:

1. That she is now an actual bona fide resident of the City of Chicago, County of Cook and State of Illinois;
2. That this plaintiff was lawfully joined in marriage with Royal William Duffey on the 31st day of May, 1928, at Columbus, Ohio;
3. That there were two children born as a result of said marriage, namely Patricia, aged seven years, and Arnold, aged two and one-half years; that the said children are in the care and custody of this plaintiff and that she is providing for their support and maintenance;
4. That since said marriage and during all the time this plaintiff and the defendant lived and cohabited together as husband and wife, this plaintiff treated the defendant kindly and affectionately, and in all things at all times, conducted herself as a good, true and faithful wife;
5. That the said defendant has been guilty of extreme and repeated cruelty toward this plaintiff, in that:
  - A. On or about the 15th day of July, 1929,<sup>4</sup> about two weeks prior to the birth of the first



child of the parties, the said defendant kicked this plaintiff about the body and abdomen, causing her severe pain and injury; that as a result of said abuse, this plaintiff was compelled to remain in bed for about a week; that the aforesaid act occurred at 3622 Broadway, Chicago, Illinois;

B. That in about the month of November, 1933, at Lisle, in Du Page County, Illinois, the said defendant, in a fit of temper, broke a large glass jar on the floor and proceeded to attack this plaintiff, pushing and striking her and causing her to fall upon the floor in the broken bits of glass; that this plaintiff sustained severe cuts about her face and hands;

C. On or about the 13th day of July, 1936, the said defendant struck this plaintiff a violent blow with his fist, dislocating her jaw and causing her severe pain and suffering;

D. On or about the 30th day of August, 1936, in the City of Chicago, Illinois, the said defendant threatened and attempted to strike and do bodily harm to this plaintiff, but was prevented from so doing by a brother of the defendant, who grabbed him and held his arms, preventing any serious results;

E. And this plaintiff further alleges that at divers other times and places the said defendant has beaten, struck, pinched, choked, kicked and otherwise cruelly abused and ill-treated this plaintiff;

all without fault or provocation on the part of this plaintiff;

6. That the defendant is a strong, able-bodied man,



in receipt of a substantial income, and abundantly able to support this plaintiff and the minor children of the parties hereto and defray the expenses of this proceeding;

7. This plaintiff further represents that the said defendant has threatened to take the minor children of the parties hereto from this plaintiff and take them out of the jurisdiction of this court;

8. That the said defendant has threatened this plaintiff with physical violence, and by reason of the said threats and the previous actions on the part of said defendant, this plaintiff fears that he will carry said threats into execution unless restrained by order of this court; and this plaintiff fears that if notice is given defendant of her application for such restraining order, it will defeat the purpose for which same is sought, and therefore asks that same issue without notice to defendant; that this plaintiff has no means wherewith to furnish a bond in the matter of her application for such restraining order, and therefore asks that said restraining order issue without bond being furnished by this plaintiff;

9. WHEREFORE, this plaintiff prays:

A. That Royal William Duffey, who is hereby made a party defendant to this complaint for divorce, may be required to make full, true, direct and perfect answer hereto, but not under oath, answer under oath being hereby expressly waived;

B. That the bonds of matrimony existing between this plaintiff and defendant may be thenceforth and forever dissolved and annulled and this plaintiff divorced from the defendant;

C. That this plaintiff may be awarded the care, custody, control and education of the minor children of the parties hereto;



D. That the defendant, Royal William Duffey, may be required, at first temporarily and afterward permanently, to pay to this plaintiff such sums as the court may deem reasonable and proper as and for alimony, support of children, attorneys' fees and court costs;

E. That the said defendant, Royal William Duffey, his agents, servants, solicitors, attorneys and assigns, be restrained by order of this court from in any manner whatsoever interfering with the personal liberty of, or doing bodily harm to this plaintiff and from in any manner whatsoever interfering with her custody of the minor children of the parties hereto;

F. And that this plaintiff may have such other and further relief as may be equitable and just;

10. This plaintiff further prays that a writ of summons issue out of and under the seal of this court, directed to the Sheriff of Cook County, commanding him that he summon the defendant, Royal William Duffey, to personally be and appear before this court on the first Monday of October, 1936, then and there to answer or otherwise appear, except as provided in said summons.

X Helen Duffey  
PLAINTIFF

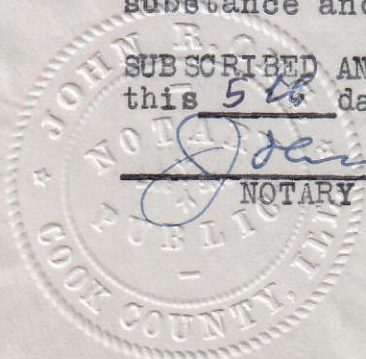
STATE OF ILLINOIS }  
COUNTY OF COOK } ss.

HELEN DUFFEY, being first duly sworn, on oath deposes and says that she has read the foregoing complaint, by her subscribed, knows the contents thereof, and that the same is true in substance and in fact.

SUBSCRIBED AND SWORN to before me  
this 5<sup>th</sup> day of September, 1936.

X Helen Duffey

John R. O'Neil  
NOTARY PUBLIC.





FIRST MON OCT

37809

36C10164



No. \_\_\_\_\_

Circuit Court of Cook County

HELEN DUFFY

v8.

ROYAL WILLIAM DUFFY

SUMMONS

REGISTERED

OCT 6 1936

JOHN E. CONROY

CLERK CIRCUIT COURT

Served

DEPUTY

RECEIVED  
1936 OCT 10

JOHN TOMAN  
SHERIFF

Attorney

JOHN E. CONROY  
Clerk of the Circuit Court

370 50M 3-36

22

OCT - 5 1936

The within named defendant... not found in my county, Dated this ..... day of

A. D. 1936.

JOHN TOMAN, Sheriff, By

Deputy



In the Name of the People of the State of Illinois in the Circuit Court of Cook County, Illinois.

HELEN DUFFEY

Plaintiff  
vs.

ROYAL WILLIAM DUFFEY

Defendant

No. \_\_\_\_\_

To the above named defendant:

You are hereby summoned to answer the complaint in the above entitled cause.

Take notice that you must file your answer or otherwise make your appearance in said court held in the courthouse in the City of Chicago, Illinois, on or before the first ~~XXXXXX~~ Monday in the month of \_\_\_\_\_  
October, 1936, provided this writ shall be served upon you not less than 20 days prior to said date.

If this writ shall be served upon you less than 20 days before said date, you will file your answer or otherwise make your appearance in said court on or before the third ~~XXXXXX~~ Monday in the month of \_\_\_\_\_  
October, 1936.

If you do not appear according to the command of this writ, plaintiff may take judgment against you by default.

This summons must be returned, in person or by mail, by the officer or other person to whom it was given for service, with indorsement thereon of service and fees, if any, not later than 5 days after service thereof and in no event later than the date first above named.

Witness, JOHN E. CONROY, the clerk of said court, and the  
seal thereof, at Chicago, Illinois, this 5  
day of September, 1936.

Plaintiff's Attorney (or Plaintiff, if he be not  
represented by Attorney)

Clerk

Teed, Kammermann & Johnson,

Address

111 W. Washington St. Phone Cen. 7162.



IN CHANCERY  
No. 36C-10164

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**Circuit Court of Cook County**

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Duffey

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vs.

Duffey

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**Certificate of Mailing Notice**

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FILED  
1936 SEP 11 PM 12 44  
REGISTERED  
SEP 11 1936  
JOHN E. CONROY  
CLERK CIRCUIT COURT  
DEPUTY



STATE OF ILLINOIS, }  
COUNTY OF COOK. } ss.

CIRCUIT COURT OF COOK COUNTY.

Helen Duffey

vs.

Royal William Duffey

In Chancery No. 36C-10164

I, JOHN E. CONROY, Clerk of the Circuit Court of Cook County, in and for said County, in the State of Illinois, do hereby certify that on the 11th day of September A. D. 1936, I sent by mail, postage prepaid, a Notice, a copy of which is hereto attached, marked "Exhibit A," to the following defendants, and addressed as follows:

One Copy to Royal William Duffey, 2400 Melrose Ave., Columbus, Ohio

One Copy to

One Copy to

One Copy to

One Copy to

One Copy to

One Copy to

One Copy to

EXHIBIT "A,"

*John E. Conroy*

Clerk.

TEED, KAMMERMAN & JOHNSON, Attorneys, 111 W. Washington St. STATE OF ILLINOIS, COUNTY OF COOK, ss.—Circuit Court of Cook County, Helen Duffey vs. Royal William Duffey. Number 36C-10164.

The requisite affidavit for publication having been filed, notice is hereby given to you, Royal William Duffey, that a suit has been filed in the Circuit Court of Cook County, Illinois, by the Plaintiff against you, for Divorce and for other relief; that summons duly issued against you as provided by law, and which suit is still pending.

Now, therefore, unless you Royal William Duffey, file your answer to the Complaint in the said suit or otherwise make your appearance therein, in the said Circuit Court of Cook County, held in the Court House, in the City of Chicago, Illinois, on or before the First Monday of October, A. D. 1936, being the 5th day of October, A. D. 1936, default may be entered against you at any time after that day, and a Decree entered in accordance with the prayer of said Complaint.

JOHN E. CONROY, Clerk.  
Teed, Kammermann & Johnson, Attorneys for Plaintiff.  
Sep-5-12-19



365 10/64

Circuit Court of Cook County

Helen Duffey

Royal W. Duffey vs.

CERTIFICATE OF PUBLICATION

FROM

CHICAGO DAILY LAW BULLETIN

REGISTERED

SEP 22 1936

JOHN E. CONROY  
CLERK CIRCUIT COURT  
DEPUTY

1936 SEP 22 AM 9 32

32

For a full and complete understanding of the law, the student should consult the Chicago Daily Law Bulletin, which is published daily in the City of Chicago, and is the only publication of its kind in the State of Illinois. It contains the latest news, cases, and decisions of the Illinois Supreme Court, the Circuit Courts, and the County Courts. It also contains the latest news, cases, and decisions of the United States Supreme Court, the Federal Circuit Courts, and the Federal District Courts. It is a valuable reference work for the student, the lawyer, and the judge.

LAW BULLETIN PUBLISHING CO.

Chicago Daily Law Bulletin

A Comprehensive and authoritative source of the law in the State of Illinois. It contains the latest news, cases, and decisions of the Illinois Supreme Court, the Circuit Courts, and the County Courts. It also contains the latest news, cases, and decisions of the United States Supreme Court, the Federal Circuit Courts, and the Federal District Courts. It is a valuable reference work for the student, the lawyer, and the judge.



TEED, KAMMERMAN & JOHNSON, Attorneys, 111 W. Washington St.  
STATE OF ILLINOIS, COUNTY OF COOK,  
ss.—Circuit Court of Cook County, Helen  
Duffey vs. Royal William Duffey. Number  
36C-10164.

The requisite affidavit for publication having been filed, notice is hereby given to you, Royal William Duffey, that a suit has been filed in the Circuit Court of Cook County, Illinois, by the Plaintiff against you, for Divorce and for other relief; that summons duly issued against you as provided by law, and which suit is still pending.

Now, therefore, unless you Royal William Duffey, file your answer to the Complaint in the said suit or otherwise make your appearance therein, in the said Circuit Court of Cook County, held in the Court House, in the City of Chicago, Illinois, on or before the First Monday of October, A. D. 1936, being the 5th day of October, A. D. 1936, default may be entered against you at any time after that day, and a Decree entered in accordance with the prayer of said Complaint.

JOHN E. CONROY, Clerk.

Teed, Kammermann & Johnson, Attorneys  
for Plaintiff. Sep—5-12-19

## LAW BULLETIN PUBLISHING CO.,

A Corporation organized and existing under and by virtue of the laws of the State of Illinois, does HEREBY CERTIFY That it is the publisher  
OF THE

### Chicago Daily Law Bulletin;

That said CHICAGO DAILY LAW BULLETIN is a secular newspaper and has been published daily in the City of Chicago, County of Cook and State of Illinois, continuously for more than six months prior to, on and since the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said County and State.

That a notice, of which the annexed printed slip is a true copy, was published *Three* times in said CHICAGO DAILY

LAW BULLETIN, namely, once in each week for *Three* successive weeks and that the first publication of said notice as aforesaid was made in said newspaper, dated and published on

the *5<sup>th</sup>* day of *September*, A. D. 19*36*, and the last publication thereof was made in said newspaper dated and published on the *19<sup>th</sup>* day of *September*, A. D. 19*36*.

IN WITNESS WHEREOF, the undersigned, the said LAW BULLETIN PUBLISHING CO., has caused this certificate to be signed by H. J. MACFARLAND, its President, and attested and its corporate seal affixed hereto by Phil B. Ewing, its Assistant Secretary, at Chicago, Illinois, this *19<sup>th</sup>* day of *September*,

A. D. 19*36*.

LAW BULLETIN PUBLISHING CO.

By *H. J. MacFarland* President.

ATTEST: *Phil B. Ewing* Asst. Secretary.

(Publication Fee, \$ *10* )



36010164

Duffey

vs

Duffey

REGISTERED

OCT 5 1936

JOHN E. CONEY  
CLERK CIRCUIT COURT  
DEPUTY

1936 OCT 5 AM 11:57

PAID

1936 OCT 5 PM 12:01

David Evans  
1130 Huntington  
Bk Bldg  
Columbus Ohio

APPEARANCE

PAID \$5.00

Sworn to before me and subscribed in my presence this

1936

Commission expires April 5, 1938.  
Franklin County, Ohio.  
William B. Bobb, Notary Public

Attorneys for Defendant

*David Evans*

*William B. Bobb*

costs.

that the complaint of plaintiff filed herein, be dismissed at her



STATE OF ILLINOIS     )  
COUNTY OF COOK       )   SS:

IN THE CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY                             )

-vs-

(     No. 36C 10164

ROYAL WILLIAM DUFFEY                     )

A N S W E R

FIRST DEFENSE

Now comes the defendant, Royal William Duffey, and for answer to plaintiff's complaint in chancery, for his first defense admits that the plaintiff was lawfully joined in marriage with Royal William Duffey on the 31st day of May 1928, at Columbus, Ohio; admits further that there were two children born as the result of said marriage, namely Patricia, aged seven years and Arnold, aged two and one-half years, and for further answer denies each and every other allegation contained in said complaint, not herein specifically admitted to be true.

SECOND DEFENSE

This answering defendant further says that prior to the filing of plaintiff's petition herein, this defendant did on the 2nd day of September, 1936, commence an action in the Common Pleas Court of Franklin County, Ohio, Division of Domestic Relations, wherein Royal William Duffey was the plaintiff and Helen Duffey the defendant, and being case No. 14,508 on the dockets of said court; that summons and a copy of plaintiff's petition were mailed to the plaintiff herein as required by law, together with a copy of the first publication of notice as required by law, and that by reason thereof, the Common Pleas Court of Franklin County, Ohio, Division of Domestic Relations, has jurisdiction of the action for divorce and acquired jurisdiction prior to the commencement of this present action.

WHEREFORE, this answering defendant having answered, prays



that the complaint of plaintiff filed herein, be dismissed at her costs.

Reid & Evans  
Attorneys for Defendant

STATE OF OHIO  
FRANKLIN COUNTY, SS:

ROYAL WILLIAM DUFFEY, being first duly sworn, deposes and says that he is the defendant herein and that the facts stated; the denials and allegations contained in his foregoing answer are true.

Royal William Duffey

Sworn to before me and subscribed in my presence this 3rd  
day of October 1936.

Miriam B. Bopp  
Miriam B. Bopp, Notary Public  
Franklin County, Ohio.  
Commission expires April 2, 1938.



3280c400

Chancery.

General No. 360 10164

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

ORDER

Record

Page

Date

Teed, Kammermann & Johnson,  
solicitor

Address 111 W. Washington St.

Phone Central 7162.

JOHN E. CONROY  
CLERK OF THE CIRCUIT COURT



CIRCUIT COURT OF COOK COUNTY.

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

General No. 360 10163

JUDGE FINNEGAN

OCT 14 1936

On motion of Teed, Kammermann & Johnson, solicitor for plaintiff and upon due notice to the defendant; the court having heard evidence and being fully advised in the premises, FINDS:

That the defendant has an average earning varying from \$33.00 to \$40.00 per week;

That the sum of \$10.00 per week is a reasonable sum for the defendant to pay to the plaintiff as and for temporary support of children and that \$50.00 is a reasonable sum for the defendant to pay to the plaintiff on account of her attorneys' fees, payable one-half in thirty and one-half in sixty days;

IT IS THEREFORE ORDERED that the defendant pay to the plaintiff the sum of \$10.00 per week as and for temporary support of children, first payment being due and payable on the 14th day of October, 1936 and a like sum on the corresponding day of each week thereafter until the further order of this court; It is further ordered that the defendant pay to the plaintiff the sum of \$50.00 on account of her attorneys' fees, payable \$25.00 in thirty days and \$25.00 in sixty days from the date hereof;

IT IS FURTHER ORDERED that the question of costs be reserved until the final hearing of this cause.

ENTER:

*Philip P. ...*

JUDGE.

Oct. 14, 1936

3280C400

Chicago, -----



No.

36C 10164

In the CIRCUIT Court  
of  
COOK COUNTY

HELEN DUFFEY  
VS.

ROYAL WILLIAM DUFFEY

NOTICE AND PETITION

**FILED**  
OCT 14 1936

CLERK OF THE CIRCUIT COURT

**TEED, KAMMERMANN & JOHNSON**

ATTORNEYS AND COUNSELORS AT LAW

111 W. WASHINGTON STREET

CHICAGO

TELEPHONE CENTRAL 7162



STATE OF ILLINOIS     )  
                              )  
COUNTY OF COOK        ) SS.

IN THE CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY                     )  
                                  )  
      - vs -                     )  
                                  )  
ROYAL WILLIAM DUFFEY            )     NUMBER 36C 10164

NOTICE

TO: Mr. David E. Evans,  
     1130 Huntington Bank Bldg.,  
     Columbus, Ohio.

PLEASE TAKE NOTICE that on the 14th day of October, 1936, at the opening of Court in the forenoon, or as soon thereafter as the matter can be heard before his Honor Judge Philip J. Finnegan, or in his absence before such other Judge as may be hearing his motions in his court room in the County Building, Chicago, Illinois, we shall appear and present the petition of Helen Duffey, a copy of which is attached hereto, and shall ask for the entry of an order in accordance with the prayer of said petition and for such other orders as to the court shall seem meet.

At which time and place you may appear if you so see fit.

TEED, KAMMERMANN & JOHNSON

STATE OF ILLINOIS     )  
COUNTY OF COOK        ) SS.

Bladys Kupperbauer, being first duly sworn, on oath deposes and says that she served the above and foregoing notice on Mr. David E. Evans, by sending to him by regular mail, postage prepaid, a copy of said notice together with petition, addressed to him at 1130 Huntington Bank Building, Columbus, Ohio, this 9th day of October, 1936.

SUBSCRIBED AND SWORN to before  
me this 9th day of October, 1936.

John Sampson  
NOTARY PUBLIC





STATE OF ILLINOIS     )  
                              )   SS.  
COUNTY OF COOK        )

IN THE CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY                     )  
                                  )  
      -vs-                         )   NUMBER 36C 10164  
                                  )  
ROYAL WILLIAM DUFFEY            )

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT  
                                  OF COOK COUNTY, ILLINOIS  
                                  IN CHANCERY SITTING:

Your petitioner Helen Duffey respectfully represents unto your  
Honors as follows:

That heretofore, on the 5th day of September, 1936 she filed her  
Complaint herein and that thereafter the defendant was duly served with  
notice by publication, in accordance with the statutes made and provided;

That thereafter, on the 5th day of October, 1936 the defendant  
filed his appearance and answer herein; that said cause is now at issue  
and pending and undetermined before this Court;

That this Court has full and complete jurisdiction of the parties  
hereto and the subject matter hereof;

That the defendant has filed a suit for divorce in the Common  
Pleas Court of Franklin County, Division of Domestic Relations, State  
of Ohio and that this plaintiff has received notice thereof by mail con-  
sisting of a copy of the summons and petition;

That this plaintiff has not filed any appearance in the Ohio  
proceeding and that that court does not have jurisdiction of the person  
of this plaintiff;

That the plaintiff verily believes that the defendant has filed  
his appearance and answer herein for the purpose of delaying action in  
this court until such time as he can obtain a default decree in the Ohio



Court, and plaintiff verily believes that it is the intention of the defendant so to do and after obtaining said decree to file the same herein, to defeat this plaintiff's action; plaintiff further states that the defendant having filed his appearance and answer herein he has submitted himself as well as the subject matter, to the jurisdiction of this court and thereby deprived the Ohio Court of jurisdiction, and that this is the law as set forth by the Court of Appeals of Ohio, Cuyahoga County, in a decision rendered April 20th, 1936 and reported as Whitaker vs. Whitaker 3 (2nd) N.E. Report, page 667;

WHEREFORE, plaintiff prays that an order be entered herein enjoining and restraining the defendant Royal William Duffey from proceeding in any manner whatsoever in the cause pending in the Common Pleas Court of Franklin County, Division of Domestic Relations, State of Ohio, being case number 14508 entitled Royal William Duffey vs. Helen Duffey, until the further order of this Court and for such other and further relief as to your Honors may seem meet.

x Helen Duffey  
PETITIONER.

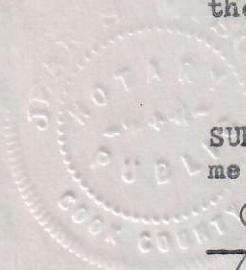
STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

HELEN DUFFEY, being first duly sworn, on oath deposes and says that she has read the foregoing petition by her subscribed; knows the contents thereof and that the same is true in substance and in fact.

x Helen Duffey

SUBSCRIBED AND SWORN to before  
me this 9<sup>th</sup> day of October, 1936.

Jean Sampson  
NOTARY PUBLIC





No.

360 10164

In the Circuit Court  
of

Cook County, Illinois

HELEN DUFFEY

VS.

ROYAL WILLIAM DUFFEY

PETITION AND NOTICE.

REGISTERED  
OCT 14 1936  
J. E. CONROY  
CLERK CIRCUIT COURT  
FILED  
OCT 14 1936

CLERK OF THE CIRCUIT COURT

TEED, KAMMERMAN & JOHNSON

ATTORNEYS AND COUNSELORS AT LAW

111 W. WASHINGTON STREET

CHICAGO

TELEPHONE CENTRAL 7162



STATE OF ILLINOIS  
COUNTY OF COOK

} SS.

IN THE CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY

-vs-

ROYAL WILLIAM DUFFEY

} NUMBER 360 10164

NOTICE.

TO: Mr. David E. Evans,  
1130 Huntington Bank Bldg.,  
Columbus, Ohio.

PLEASE TAKE NOTICE that on the 14<sup>th</sup> day of October, 1936, at the opening of court in the forenoon or as soon thereafter as the matter can be heard before his Honor, Judge Philip J. Finnegan, or in his absence before such other judge as may be hearing his motions in his court room in the County Building, Chicago, Illinois, we shall appear and present the petition of Helen Duffey, a copy of which is attached hereto, and shall ask for the entry of an order in accordance with the prayer of said petition and for such other orders as to the court shall seem meet;

At which time and place you may appear if you so desire.

TEED, KAMMERMANN & JOHNSON  
111 W. Washington St.,  
Central 7162.

STATE OF ILLINOIS  
COUNTY OF COOK

} SS.

Gladys Kupperbauer being first duly sworn, on oath deposes and says that she served the above and foregoing notice on Mr. David E. Evans, by sending to him by regular mail, postage prepaid, a copy of said notice, together with a copy of the petition, addressed to him at 1130 Huntington Bank Building, Columbus, Ohio, this 7<sup>th</sup> day of October, 1936.

Gladys Kupperbauer  
SUBSCRIBED AND SWORN to before me  
this 7 day of October, 1936.

Frank Thompson  
NOTARY PUBLIC.



STATE OF ILLINOIS  
COUNTY OF COOK

} ss.

IN THE CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY

-vs-

ROYAL WILLIAM DUFFEY

} NUMBER 36C 10164

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT  
OF COOK COUNTY, ILLINOIS  
IN CHANCERY SITTING:

Your petitioner, Helen Duffey, respectfully represents unto your Honors as follows:

That she is the plaintiff herein, having heretofore filed her complaint; that the defendant has filed his appearance and answer herein and that said cause is still pending and undetermined;

Your petitioner further represents that she is employed and earning the sum of \$30.00 per month; that she has the burden of supporting and maintaining the two minor children of the parties, aged seven and two, respectively;

That since the middle of July, 1936, the defendant has contributed to your petitioner for the support and maintenance of herself and the minor children the meager sum of \$8.00;

Your petitioner further represents that the defendant is a strong, able-bodied man, gainfully employed and earning between \$30.00 and \$40.00 per week;

Your petitioner further alleges that the minor children of the parties are badly in need of winter clothing, shoes, stockings, underwear, etc. and that your petitioner is without means wherewith to purchase the same for the said children;



Your petitioner further represents that she has been compelled to employ attorneys to represent her herein and that she is without funds wherewith to compensate said attorneys; that her said attorneys have rendered valuable service herein and will be required to render further services;

WHEREFORE, your petitioner prays that an order be entered herein requiring the defendant to pay to your petitioner a reasonable sum as and for temporary alimony and support of the minor children and also a reasonable amount for temporary attorneys' fees and also that an order be entered requiring the defendant to reimburse your petitioner for costs heretofore incurred herein; and that your petitioner may have such other and further relief in the premises as to your Honors shall seem meet.

Helen Duffey  
PETITIONER.

STATE OF ILLINOIS      }  
COUNTY OF COOK        } ss.

HELEN DUFFEY, being first duly sworn, on oath deposes and says that she has read the foregoing petition, by her subscribed, knows the contents thereof, and that the same is true in substance and in fact.

Helen Duffey

SUBSCRIBED AND SWORN to before  
me this 7th day of October, 1936.

Jean Sampson  
NOTARY PUBLIC.





No.

360 10164

In the Circuit Court  
of  
Cook County, Illinois.

HELEN DUFFEY

VS.

ROYAL WILLIAM DUFFEY

OCT 30 1936

N. E. CONROY  
CLERK CIRCUIT COURT

PETITION AND NOTICE.

FILED  
OCT 30 1936

CLERK OF THE CIRCUIT COURT

TEED, KAMMERMANN & JOHNSON

ATTORNEYS AND COUNSELORS AT LAW

111 W. WASHINGTON STREET

CHICAGO

TELEPHONE CENTRAL 7162



STATE OF ILLINOIS  
COUNTY OF COOK

} SS.

IN THE CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY

-vs-

ROYAL WILLIAM DUFFEY

} NUMBER 36C 10164

NOTICE.

TO: Mr. David E. Evans,  
1130 Huntington Bank Bldg.,  
Columbus, Ohio.

PLEASE TAKE NOTICE that on the 30th day of October, 1936, at the opening of court in the forenoon or as soon thereafter as the matter can be heard before his Honor, Judge Philip J. Finnegan, or in his absence before such other judge as may be hearing his motions in his court room in the County Building, Chicago, Illinois, we shall appear and present the petition of Helen Duffey, a copy of which is attached hereto, and shall ask for the entry of an order in accordance with the prayer of said petition and for such other orders as to the court shall seem meet;

At which time and place you may appear if you so desire.

TEED, KAMMERMANN & JOHNSON,  
111 West Washington Street,  
Central 7162.

STATE OF ILLINOIS  
COUNTY OF COOK

} SS.

Gladys Kuppenbauer being first duly sworn, on oath deposes and says that she served the above and foregoing notice on Mr. David E. Evans, by sending to him by regular mail, postage prepaid, a copy of said notice, together with petition, addressed to him at 1130 Huntington Bank Building, Columbus, Ohio, this 24th day of October, 1936.

SUBSCRIBED AND SWORN to before me  
this 24th day of October, 1936.

Jean Sampson  
NOTARY PUBLIC.

Gladys Kuppenbauer



STATE OF ILLINOIS  
COUNTY OF COOK

}  
SS.

IN THE CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY

-vs-

ROYAL WILLIAM DUFFEY

}  
NUMBER 360 10164  
}

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF COOK COUNTY,  
IN CHANCERY SITTING:

Your petitioner, Helen Duffey, respectfully represents unto your Honors as follows:

That she is the plaintiff in the above entitled cause, having heretofore filed her complaint herein; that the defendant has filed his appearance and answer and said cause is still pending and undetermined;

That your petitioner placed the two minor children of the parties hereto in a home known as Daughters of Jacob, located at 6401 South Peoria;

Your petitioner further alleges that on or about the 30th day of August, 1936 the defendant went to the said Home and instructed the parties in charge not to permit your petitioner to take the said children out of the Home; that your petitioner is employed but has time off on Sunday and is desirous of taking the children out for brief periods of visitation, but that she has been refused this privilege by the officers in charge of the institution, they having advised your petitioner that they had instructions to the contrary from the defendant herein;

WHEREFORE, your petitioner prays that an order be entered herein directing that the defendant instruct the officers in charge of said institution to permit your petitioner to take the



minor children for short periods at such times as are convenient to this petitioner or, in the alternative, that the officers of said institution be instructed by order of this Court to disregard the instructions of the defendant to permit your petitioner to take said children; and that your petitioner may have such other and further relief in the premises as to your Honors shall seem meet.

Helen Duffey  
PETITIONER.

STATE OF ILLINOIS        }  
COUNTY OF COOK        } SS.

HELEN DUFFEY, being first duly sworn, on oath deposes and says that she has read the foregoing petition, by her subscribed, knows the contents thereof, and that the same is true in substance and in fact.

Helen Duffey

SUBSCRIBED AND SWORN to before me  
this 24th day of October, 1936.

Leard Sampson  
NOTARY PUBLIC.

NOTARY PUBLIC.



3280C401

Chancery.

General No... 36C 10164

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

ORDER

Record.....

Page.....

Date.....

Teed, Kammermann & Johnson

solicitor

Address ... 111 W. Washington Street

Phone ... Central 7162.

JOHN E. CONROY

CLERK OF THE CIRCUIT COURT



STATE OF ILLINOIS, }  
COUNTY OF COOK. } ss.

## CIRCUIT COURT OF COOK COUNTY.

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

General No. 36C 10164

JUDGE FINNEGAN  
OCT 14 1936  
CIRCUIT COURT

On motion of Teed, Kammermann & Johnson, solicitor for

plaintiff, and upon due notice to the defendant, and the Court having heard evidence and being fully advised in the premises, FINDS:

That it has jurisdiction of the parties hereto and the subject matter hereof;

That the defendant has filed a suit for divorce in the Common Pleas Court of Franklin County, Division of Domestic Relations, State of Ohio, being case number 14508 entitled Royal William Duffey vs. Helen Duffey; that publication has been made in said suit, but that the defendant has not appeared in said suit;

That Royal William Duffey has filed his appearance and answer in this cause and that this Court has full and complete jurisdiction of the parties hereto and the subject matter hereof;

IT IS THEREFORE ORDERED that the defendant Royal William Duffey be and he is hereby restrained from further prosecuting the cause pending in the Common Pleas Court of Franklin County, Ohio, until the further order of this Court.

ENTER:

JUDGE

OCTOBER 14th, 1936.

3280c401



Chancery. 3300c312

General No. 360 10164

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

ORDER

JUDGE FINNEGAN  
OCT 30 1936  
CIRCUIT COURT

Record.....

Page.....

Date.....

Teed, Kammermann & Johnson,  
solicitor

Address 111 W. Washington St.

Phone Cen. 7162

JOHN E. CONROY  
CLERK OF THE CIRCUIT COURT



STATE OF ILLINOIS, }  
COUNTY OF COOK. } ss.

Form 251

CIRCUIT COURT OF COOK COUNTY.

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

General No. 36C 10164

JUDGE FINNEGAN  
OCT 30 1936

On motion of Teed, Kammermann & Johnson, solicitor for  
plaintiff and upon due notice to defendant; and the Court being  
fully advised in the premises;

IT IS ORDERED that the defendant, Royal William Duffey,  
instruct the officers in charge of the children's home known as  
Daughters of Jacob, located at 6401 South Peoria Street, Chicago, to  
permit the plaintiff, Helen Duffey, to take the minor children of the  
parties hereto out of the institution for short periods of visitation  
at such time or times as is convenient to the plaintiff;

IT IS FURTHER ORDERED that the officers of said institu-  
tion be and they are hereby directed not to recognize the instructions  
of the defendant, Royal William Duffey, heretofore given to them by  
the said Royal William Duffey not to permit the plaintiff to take said  
children out of said institution.

ENTER: Philip J. Finnegan

JUDGE.

Oct. 30, 1936

3300c312

Chicago, \_\_\_\_\_



*Gunnegan*

General No. 36C 10164

54

**CIRCUIT COURT  
-OF-  
COOK COUNTY**

**REGISTERED**  
HELEN DUFFEY

VS.

JAN 4 1937

**JOHN E. CONROY**  
CLERK CIRCUIT COURT

**ROYAL WILLIAM DUFFEY**

**NOTICE and AFFIDAVIT  
TO PLACE CASE ON  
TRIAL CALENDAR**

1937 JAN 4 AM 10 15  
JOHN E. CONROY  
CLERK CIRCUIT COURT

**FILED**

**JOHN E. CONROY**  
Clerk of the Circuit Court

**Teed, Kammermann & Johnson**

370 25M 7-36

Central Attorney  
1162.

111 W. Washington Street

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

Hugh E. Johnson, on oath says that he served a copy of the within notice upon David E. Evans, attorney for the defendant, by mailing a copy to the said David E. Evans by registered mail in an envelope, postage prepaid, addressed as follows: David E. Evans, 1130 Huntington Bank Building, Columbus, Ohio. That said envelope contained a copy of said notice and was on the 30th day of December, 1936 mailed at the United States Post office in the City of Chicago, and further affiant sayeth not.

*Hugh E. Johnson*

SUBSCRIBED AND SWORN to before  
me this 30th day of December,  
1936.

*Frank Thompson*  
NOTARY PUBLIC



## CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY

Gen. No. 360 10164

VS.

ROYAL WILLIAM DUFFEY

To David E. Evans,

Attorney (~~as Solicitor~~) for defendant

You are hereby notified that Helen Duffey

desires the above entitled case to be placed upon the trial calendar and shall file this notice for the purpose pursuant to the rules of the Court.

Teed, Kammermann &amp; Johnson

Attorney for Plaintiff, Helen Duffey.

Received a copy of the above notice this day of January A. D. 1937

Attorney for Defendant, Royal Wm. Duffey.

STATE OF ILLINOIS, }  
COUNTY OF COOK. } SS.

In the Circuit Court of Cook County

Hugh E. Johnson

being duly sworn deposes and says that

one of

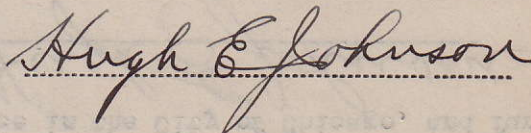
he is the attorney of record for the plaintiff in the above

entitled cause that he has caused the notice for trial to be served upon

David E. Evans,

1130 Huntington Bank Building, Columbus, Ohio attorney for Defendant

that Helen Duffey is ready for trial in this cause and expects to be ready whenever this cause shall be reached for trial.



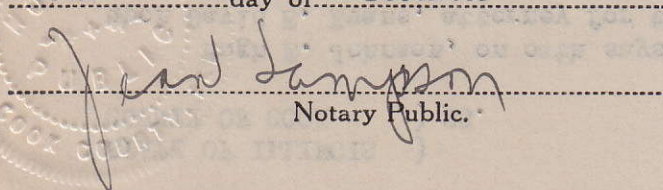
Sworn to before me this

30th

day of

December

A. D. 1936.

  
Notary Public.



# RETURN RECEIPT

*Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.*

*L. E. Evans*

(Signature or name of addressee)

*Mrs. B. B. Bopp*

(Signature of addressee's agent)

Date of delivery **DEC 31 1936**, 19

Form 3811

U. S. GOVERNMENT PRINTING OFFICE

c 5-6116



Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. **NO 51877-9**

INSURED PARCEL **936**

No. \_\_\_\_\_

PENALTY FOR PRIVATE USE  
TO AVOID PAYMENT OF  
POSTAGE, \$300.

POSTMARK OF DELIVERING  
OFFICE

AND DATE OF DELIVERY

Return to **Teed, Kammermann & Johnson**

(NAME OF SENDER)

Street and Number,  
or Post Office Box,

**111 W. Washington Street**

**CHICAGO,**

**ILLINOIS.**



Form 3806 (Rev. Jan. 21, 1935)

518779

(POSTMARK OF)

Receipt for Registered Article No. \_\_\_\_\_

Registered at the Post Office indicated in the Postmark

Fee paid \_\_\_\_\_ cents Class postage \_\_\_\_\_

Declared value \_\_\_\_\_ Surcharge paid, \$ \_\_\_\_\_

Return Receipt fee \_\_\_\_\_ Spl. Deliv. fee \_\_\_\_\_

Delivery restricted to addressee:

in person \_\_\_\_\_, or order \_\_\_\_\_ Fee paid \_\_\_\_\_

Accepting employee will place his initials in space indicating restricted delivery.

POSTMASTER, per \_\_\_\_\_

(MAILING OFFICE)

The sender should write the name of the addressee on back hereof as an identification. Preserve and submit this receipt in case of inquiry or application for indemnity.

Registry Fees and Indemnity.—Domestic registry fees range from 15 cents for indemnity not exceeding \$5 up to \$1 for indemnity not exceeding \$1,000. The fee on domestic registered matter without intrinsic value and for which indemnity is not paid is 15 cents. Consult postmaster as to the specific domestic registry fees and surcharges and as to the registry fees chargeable on registered parcel-post packages for foreign countries. Fees on domestic registered C. O. D. mail range from 25 cents to \$1.20. Indemnity claims must be filed within one year (C. O. D. six months) from date of mailing.

U. S. GOVERNMENT PRINTING OFFICE

c5—6352





518779

Duffy

DEC  
30  
1906



3381c285

NUMBER 36C 10164

IN THE  
CIRCUIT COURT OF  
COOK COUNTY, ILLINOIS.

HELEN DUFFEY

-vs-

ROYAL WILLIAM DUFFEY

JUDGE FINNEGAN

MAR - 4 1937

ORDER. CIRCUIT COURT

Teed, Kammermann & Johnson  
111 W. Washington St.  
Central 7162.



STATE OF ILLINOIS )  
COUNTY OF COOK ) SS. 1

**JUDGE FINNEGAN**

CIRCUIT COURT OF COOK COUNTY.

MAR - 4 1937

**CIRCUIT COURT**

HELEN DUFFEY

vs.

ROYAL WILLIAM DUFFEY

General No. 36C 10164

On motion of Court it is ordered that the above  
entitled cause be and the same is hereby, transferred to the  
Executive Committee for reassignment.

*Philip Finnegan*

3381c285

Judge.

Chicago March 1937.



NUMBER 36 C 10164

IN THE CIRCUIT COURT  
OF COOK COUNTY

Helen Duffey

-vs-

Royal William Duffey

REGISTERED  
APR 14 1937  
JOHN E. CONROY  
CLERK OF THE COURT

CERTIFICATE OF EVIDENCE

FILED

APR 14 1937

JOHN E. CONROY  
Clerk of the Circuit Court

TEED, KAMMERMAN & JOHNSON,  
Attorneys for Plaintiff.



STATE OF ILLINOIS    |  
COUNTY OF COOK       |    SS:

IN THE CIRCUIT COURT OF COOK COUNTY  
IN CHANCERY

Helen Duffey                   |  
-vs-                           |    Number 36 C 10164  
Royal William Duffey         |

CERTIFICATE OF EVIDENCE

BE IT REMEMBERED, That the above entitled cause came on for hearing on the 13th day of April, A. D. 1937, before the Honorable STANLEY H. KLARKOWSKI, one of the Judges of said Court, sitting on the chancery side thereof, and the plaintiff, to maintain the issues on her part, introduced the following evidence, to-wit:

CHARGE:   Extreme and repeated cruelty;

APPEARANCE:   MR. HUGH E. JOHNSON, of  
                  MESSRS. TEED, KAMMERMANN & JOHNSON,  
                  Attorneys for Plaintiff.



MR. JOHNSON: May I put the doctor on first? She wants to get away.

THE COURT: Go ahead.

ESTHER FRANKEL,  
a witness on behalf of plaintiff, being first duly sworn,  
was examined and testified as follows:

BY MR. JOHNSON:

Q Would you state your name, please?

A Doctor Esther Frankel.

Q Where do you live, Mrs. Frankel?

A 7255 Yates Avenue.

Q What is your business or profession?

A I am a physician.

Q How long have you been a practicing physician?

A Since 1913.

Q Are you connected with any schools or colleges?

A Here in Chicago?

Q Yes.

A Rush Medical College and University of Chicago.

Q Do you know the plaintiff, Mrs. Duffey?

A Yes.

Q Have you ever had occasion to examine her, to treat her?

A Yes, several times.

Q What was the first occasion?

A The first time she consulted me on September 19th.

Q What year?

A 1936.



Q Did you make an examination of her at that time?

A Yes, I did.

Q What did that examination show?

A She had a dislocated jaw on the left side, swelling and pain in it.

Q Have you examined her since then?

A Yes. I have treated her several times on that, and I have seen her three times since, and once last Sunday.

Q What is the condition of the jaw today?

A She has a slight dislocation and it snaps out of place easily because there is a torn ligament in the left joint. When she yawns it goes out of place, and it is associated with a severe pain, and it swells up. She needs treatment for that.

Q Do you know what caused that condition?

A It seems to be an injury. She was complaining that she was knocked in the jaw, and that's when it happened. The first time she was knocked on the jaw, and that's when the ligament was torn, and since that time it happens every time when she opens her mouth. When eating something, it happens too. It snaps out of place and is very uncomfortable. She has to have it treated.

MR. JOHNSON: Any question the court wishes to ask?

THE COURT: No.

(Witness excused)



HELEN DUFFEY,

plaintiff in the above entitled cause, being first duly sworn, was examined and testified as follows:

BY MR. JOHNSON:

Q Would you state your name, please?

A Helen Duffey.

Q Where do you live, Mrs. Duffey?

A 2735 South Prairie Avenue.

Q When and where were you married?

A I was married in Columbus, Ohio, May 31st, 1928. ✓

Q After your marriage, how long had you lived in Ohio?

A Just a few months after that. We left February.

Q Then you came where?

A Back here to Chicago.

Q During the time you lived together with your husband as husband and wife, you were a good, dutiful wife, and treated him kindly and considerately?

A Yes.

Q Were there any children born of your marriage?

A Two.

Q Give their names and ages?

A Patricia Lee Duffey will be eight in August, and the baby is Arnold William Duffey. He was three in March.

Q During your married life, what was your husband's treatment of you?

A Well, I consider he was extremely brutal.



Q Calling your attention to about the 15th day of July, 1929, what, if anything, out of the ordinary occurred at that time?

A Well, it was just two weeks before I expected my first child, and he kicked me several times and hurt me pretty badly.

Q What was the result of that kicking?

A Well, I had to stay in bed. I wasn't well and able to get around.

Q Did you give him any reason, cause or provocation to kick you at that time?

A No, I don't think I did. It was merely that I wasn't feeling well.

Q Calling your attention to the month of November, 1933, what, if anything, out of the ordinary occurred at that time?

A Well, he threw me into a pile of broken glass. That was just before I was expecting my second child.

Q Where was the glass?

A He threw a big glass jar on the floor and pushed me into it and gave me a shove, and I fell.

Q What happened at that time? Were there marks or cuts?

A I cut my hands and some on my face.

Q Did you give him any reason or cause at that time?

A No, I just told him he had no business throwing the glass jar down. He was angry and shoved me.

Q Calling your attention to the 13th day of July, 1936,



what, if anything, out of the ordinary occurred at that time?

A He dislocated my jaw.

Q How did he do that?

A He was angry and he told me he was going to break my jaw, and he hit me and my face flew out of place.

Q What did he hit you with?

A With his fist.

Q Has that jaw been bothering you ever since?

A Yes, it has, a great deal.

Q In case the court sees fit to grant you a decree of divorce, you want the custody of the children?

A I do.

Q Where are the children at the present time?

A The children are at the Daughters of Jacob Day and Night Nursery and Orphanage.

Q Who is paying for the care and keep of those children?

A I am.

Q There was an order entered October 14th against him to pay \$10 a week. Since that time how much has he paid?

A All he has paid was \$18. I paid the rest.

Q Do you know what his business or occupation is?

A He is a carpenter contractor.

Q When employed, what are his earnings?

A Well, when I left, he was earning around \$40 a week.

Q How long had he been earning that?

A A couple of months, two or three months.

Q Prior to that, what had been his earnings?



A Prior to that he was doing W.P.A. work, fifty-five a month.

Q Prior to that W.P.A., what were his earnings?

A He wasn't making much, sometimes fourteen a week, sometimes fifteen dollars. He has even gone as low as seven.

MR. JOHNSON: Any questions Your Honor cares to ask?

THE COURT: Yes. What do you do?

A I am a nurse.

Q Practical nurse? A Yes.

Q How much money do you earn a week?

A Right now, thirty-five a month.

Q How old are those children?

A The oldest will be eight in August, and the baby was just three.

Q The one eight years old goes to school?

A Yes, second grade.

Q What school does she go to?

A I'm not sure of the name of the school.

Q You don't know the name of the school?

A She is in an orphanage, and I have to work every day.

I think it's on 63rd.

Q Public school? A Yes.

Q You don't know much about your children.

A You see, I have to work. I don't really know the name of the school. The children are in an orphanage.

Q How often do you see your children?



A Several times a week, and I take them out. I know where her school is, and I have been there - but I never happened to look up the name. I have been to see the teacher.

Q She hasn't told you the name of the school?

A I never asked the name of it.

Q That's a peculiar circumstance. What are you asking for support money for the babies?

MR. JOHNSON: What are you paying at the school?

A I have been paying - I am supposed to pay \$5 a week.

MR. JOHNSON: We don't know what his earnings are. Judge Finnegan on the evidence produced at that time entered an order for \$10 a week.

THE COURT: Do you want that order to stand?

MR. JOHNSON: I would like to have it stand.

THE COURT: All right. Call your next. Learn a little more about your children.

(Witness excused)

GERTRUDE GREENBAUM,

a witness on behalf of plaintiff, being first duly sworn,  
was examined and testified as follows:

BY MR. JOHNSON:

Q Will you state your name? A Gertrude Greenbaum.

Q Where do you live, Mrs. Greenbaum?

A 3124 Franklin Boulevard.

Q Are you related to Mrs. Duffey?

A I am her mother.



Q Now, during the time they lived here together as husband and wife, you visited their home frequently, and they visited your home?

A They did, and so did I.

Q You observed your daughter's conduct toward her husband? She was a good wife?

A At least I have never heard any complaint. They apparently were very happy.

Q Now, calling your attention to about the 15th day of July, 1929, did you see or visit your daughter about that time?

A It happened she failed to come and see me. I had a store at that time---

THE COURT: Did you visit your daughter?

A Yes, Your Honor.

Q What happened?

A I found her in bed.

Q Did you notice anything about her unusual?

A I asked what was the trouble, and she said her husband kicked her.

Q Did you see any bruises or marks?

A I don't know that. She couldn't very well show me the place where he kicked her.

THE COURT: I see.

MR. JOHNSON: Calling your attention to the month of November, 1933, did you see your daughter at that time?



A She came to see me with the two children, and her husband, and I noticed she had some adhesive tape on her hand. I asked what happened, and she said her husband pushed her, and she hurt her hand.

Q As far as you know, did she give him any cause or reason for his treating her that way?

A As I say again, she complained very little to me, and at that time I asked what happened, why she had the bandages, and she told me what happened.

MR. JOHNSON: Any further questions?

THE COURT: No.

MR. JOHNSON: That's all.

(Witness excused)

MR. JOHNSON: Judge, I want to call your attention to this. The jurisdiction is on the acts complained of occurring in Illinois, 1929, in Lisle, Illinois.

THE COURT: Insert that in your decree.

MR. JOHNSON: Yes. I want to have that in there.

THE COURT: Custody of the children and \$10 a week support money.

MR. JOHNSON: I think there ought to be some additional solicitors' fees. I have been corresponding with the attorney who represents the fellow. He has been talking about settling, but never does.

THE COURT: What do you think is reasonable attorneys' fees?



MR. JOHNSON: The \$50 allowed has not been paid. I think another \$75 would be reasonable, and arrearages is \$242. I'll put that in the decree.

THE COURT: Bring it in tomorrow.

Which was all the evidence offered or received on the hearing of the above entitled cause.



STATE OF ILLINOIS     )  
COUNTY OF COOK        )     SS:

Ernestine Williams, being first duly sworn, deposes and says that she took down in shorthand all the evidence introduced at the hearing of the above entitled cause, and that the above and foregoing is a true and correct transcript of her said shorthand notes.

Ernestine Williams

SUBSCRIBED AND SWORN TO  
before me this 13th  
day of April,  
A. D. 1937

Louis D. Erb  
Notary Public

STATE OF ILLINOIS     )  
COUNTY OF COOK        )     SS:

Hugh E. Johnson, being first duly sworn, deposes and says that he is the Attorney for the Plaintiff in the above entitled cause; that he was present on the hearing of said cause, and heard all the evidence offered on said hearing, and that the foregoing is a true and correct transcript of the same, as this affiant verily believes.

Hugh E. Johnson

SUBSCRIBED AND SWORN TO  
before me this 14th  
day of April,  
A. D. 1937

Jean Sampson  
Notary Public



FORASMUCH, THEREFORE, as the matters and things hereinabove set forth do not otherwise fully appear of record in this cause, the plaintiff tenders this certificate of evidence, and prays that the same may be signed and sealed by the Judge by whom said cause was heard;

WHICH IS ACCORDINGLY DONE on the day and date of the entry of the decree herein.

Stanley H. Klackner Es. (SEAL)  
J u d g e.



4/28/37.  
No. 3411c049

36C 10164

In the \_\_\_\_\_ Circuit Court  
of  
COOK COUNTY

HELEN DUFFEY  
VS.

ROYAL WILLIAM DUFFEY

DECREE

Judge Stanley H. Klarkowski

APR 14 1937

TEED, KAMMERMAN & JOHNSON

ATTORNEYS AND COUNSELORS AT LAW

111 W. WASHINGTON STREET

CHICAGO

TELEPHONE CENTRAL 7162



STATE OF ILLINOIS     )  
                              )  
COUNTY OF COOK        )   SS.

IN THE CIRCUIT COURT OF COOK COUNTY

HELEN DUFFEY                     )  
                                  )  
      -vs-                        )  
                                  )  
ROYAL WILLIAM DUFFEY            )

NUMBER 36C 10164

Judge Stanley H. Karkowski  
APR 14 1937

D E C R E E

This cause being regularly reached on the contested trial call and called for trial pursuant to due notice heretofore filed herein, and it appearing to the Court that the defendant has had due notice of the pendency of this cause and that he has filed his Appearance and Answer herein, and the Court having heard evidence and being fully advised in the premises, FINDS:

That it has jurisdiction of the parties hereto and the subject matter hereof;

That the plaintiff is now and has been since the 19th day of July, 1937 an actual bona fide resident of the City of Chicago, County of Cook and State of Illinois;

That the parties hereto were lawfully joined in marriage on the 31st day of May, 1928 at Columbus, Ohio; ✓

That there were two children born of the marriage, namely: Patricia who will be eight years of age in August, 1937, and Arnold, who was three years of age in March, 1937;

The Court further finds that the plaintiff is a fit and proper person to have the care and custody of the minor children of the parties;

That subsequent to their intermarriage the defendant has been guilty of extreme and repeated cruelty toward the plaintiff in that;

On or about the 15th day of July, 1929 in Chicago, Illinois, and while both of the parties hereto were residents of Chicago, Illinois, the



defendant, without cause or provocation, kicked the plaintiff about the body and abdomen, causing her severe pain and injury with the result that she was confined to her bed for a period of about one week;

That in the month of November, 1933 at Lisle, Du Page County, Illinois, and while both of the parties hereto were residents of Du Page County, Illinois, the defendant broke a large glass jar on the floor, and without cause or provocation attacked the plaintiff, pushing and striking her, causing her to fall in the broken glass, and the plaintiff sustained severe cuts about her face and hands;

On the 13th day of July, 1936 the defendant, without cause or provocation, struck the plaintiff a violent blow with his fist, dis-coloring plaintiff's jaw and causing her severe pain and injury;

That heretofore, on the 14th day of October, 1936 an order was entered herein requiring the defendant to pay to the plaintiff the sum of \$10.00 per week as and for support of minor children of the parties hereto and said order further provided that the defendant pay to the plaintiff the sum of \$50.00 temporary attorneys' fees, payable one-half in thirty and one-half in sixty days. That the defendant has not complied with said order and is in default thereunder up to and including the 7th day of April, 1937 in the sum of \$242.00 as and for child support and a further sum of \$50.00 as and for temporary attorneys' fees, making a total arrearage of \$292.00;

That the defendant is a strong, able-bodied man in the occupation of carpenter and contractor and when employed earns about \$40.00 per week and that the sum of \$10.00 per week is a reasonable sum for the defendant to pay to the plaintiff as and for support of the minor children of the parties hereto;

That the sum of \$75.00 is a reasonable sum for the defendant to pay to the plaintiff as and for additional attorneys' fees;

ON MOTION of said Attorneys for the Plaintiff, IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, and this Court, by virtue of the power and authority therein vested and the Statute in such case made and

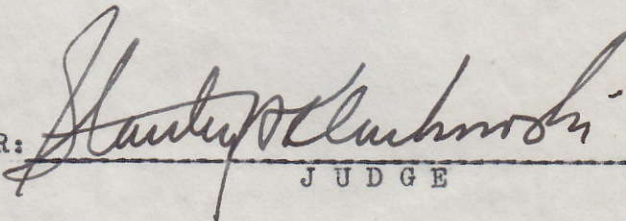


provided, DOTH ORDER, ADJUDGE AND DECREE that the bonds of matrimony heretofore existing between the plaintiff Helen Duffey and the defendant Royal William Duffey, be and the same are hereby dissolved, and the same are dissolved accordingly;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED as follows:

1. That judgment enter herein in favor of the plaintiff and against the defendant in the sum of \$292.00 as and for arrears of temporary support of children and attorneys' fees; and that execution issue thereon;
2. That the plaintiff have the sole care and custody of the children of the parties hereto;
3. That the defendant pay to the plaintiff an additional sum of \$75.00 attorneys' fees;
4. That the defendant pay to the plaintiff the sum of \$10.00 per week as and for permanent support of children, first payment of \$10.00 being due and payable on the 14th day of April, 1937 and a like sum on the corresponding day of each week thereafter until the further order of Court;
5. IT IS FURTHER ORDERED that the plaintiff do have and recover of and from the defendant her costs heretofore expended herein which are hereby taxed at the sum of \$30.50 and that execution issue thereon.

ENTER:

  
J U D G E

DATE: \_\_\_\_\_