

Judge of Probate Court.

dollars.

the amount of

Let attachment issue as prayed for, to

MIDDLESEX, ss. A.D. 192

*294 Washington St
Boston*

For Libellee:

*6-6-29
Charles C. Willard
44 Bromfield Street
Boston, Massachusetts*

*ENTRY FOR PAID
FOR LIBELMENT
6-6-29
5-9-29*

*Rec. Book 115 Page 46
Decree June 5 1929
Returnable Mich 18 1929
Filed Feb 16 1929*

LIBEL FOR DIVORCE AND DECREE

Oliver H. James Libe.

Rachel James Libt.

No. 5702

See attachment 5702

RECEIVED
MIDDLESEX COUNTY
PROBATE COURT
JULY 1 1929

() Certified copies of State returns of vital records (1841-1915) are available for \$3.00 each. Please submit your request, enclosing a check payable to the *Commonwealth of Massachusetts*.
Address: Massachusetts Archives, 220 Morrissey Blvd., Boston, MA 02125
Phone: 617-727-2816

() You have not provided enough information to permit us to research your question effectively. Please include as much information as possible about the event. More specific information regarding dates, places, and the names of parents and/or spouses is especially important.

() Please limit your inquiry to no more than five records per letter. Additional requests may be submitted upon receipt of initial request.

() Original vital records are held by the town/city clerk where the event occurred. Pre-1841 records and certificates are available only from the appropriate town/city clerk. There is no statewide index for those records. Please submit your request to the following town/city clerk's office:

() State returns for vital records after 1915 are held by the Department of Public Health, Division of Vital Records and Statistics). A \$28.00 research fee must accompany all requests for records from that office.

Address: Registry of Vital Records & Statistics, 150 Mt. Vernon St., Dorchester, MA 02125-3105
Phone: 617-740-2600

() Limited staff time does not allow us to engage in detailed genealogical or historical research. Individuals requesting in-depth research should seek professional assistance. Lists of reputable genealogists are maintained by the New England Historic Genealogical Society (101 Newbury Street, Boston, MA 02116).

() We are returning your check for \$ ² 21.00 + 4.00

() Comments: If you resubmit a check for \$15.00 for
the two records found and the death records
you requested with citations we will send
those certificates out to you.

I hope we have been able to assist you with your research.

Respectfully,

James P. Duffy

Reference Archivist

2
D
C
P

See enrolment 5800

1

No. 5702

Rachel James Libt.

Oliver H. James Libe.

LIBEL FOR DIVORCE AND DECREE.

Filed Feb 16 1929.

Returnable March 18 1929.

Decree June 5 1929.

Rec. Book 1115 Page 86

Desertion 6 months
\$7 week for supp of child
Hearing May 29, 1929

Permit March 18, 1929

ENTRY FEE PAID

6-6-29 5-9-29

Charles C. Willard
44 Bromfield Street
Boston, Massachusetts

For Libellee: 6-6-29

Walter Smith
294 Washington St
Boston

MIDDLESEX, SS. A.D. 192

Let attachment issue as prayed for, to
the amount of _____
dollars.

Judge of Probate Court.

[The libellant shall set forth in the libel whether or not any previous libel for divorce, or petition or libel for nullity, or petition for separate support has been brought by either of the parties, and if such a proceeding has been brought shall file with the libel a certified copy of the libel or petition in such other proceeding together with a certified copy of the docket entries relating thereto.]

TO THE HONORABLE THE JUDGES OF THE PROBATE COURT IN AND FOR THE COUNTY OF MIDDLESEX:

RESPECTFULLY libels and represents Rachel James of Watertown in the County of Middlesex

that she was lawfully married to Oliver H. James now of Somerville, County and Commonwealth aforesaid

at Fairfield, Connecticut on the twenty-third day of December A.D. 1923, and thereafter your libellant and the said libellee have never lived together as husband and wife in this Commonwealth, to wit at

and last lived together at Bridgeport, Connecticut that your libellant has always been faithful to their marriage vows and obligations, but the said libellee being wholly regardless of the same, at Bridgeport on or about December 25, 1923 at said Bridgeport, said libellee utterly deserted your said libellant which desertion has continued up to the present time, a period of more than five consecutive years, and

that there has been born to them one child who is now living, and is a minor whose name and date of birth are as follows: William Oliver James March 19, 1924

Wherefore your libellant prays that a divorce from the bond of matrimony between your libellant and the said libellee be decreed; and that the care and custody of said minor child be given to your libellant and that the said libellee be ordered to contribute to your said libellant such sums of money as may be necessary for the support and maintenance of the said minor child, and for such other orders as may seem meet and just to this Honorable Court.

No previous libel for divorce or petition or libel for nullity or petition for separate support has been brought by either of the parties

Dated this fifteenth day of February A.D. 1929.

Rachel James

See amendments 511

COMMONWEALTH OF MASSACHUSETTS.

MIDDLESEX, ss.

PROBATE COURT.

To Oliver H. James of Somerville in the County of Middlesex

GREETING:

WHEREAS, Rachel James of Watertown in the County

of Middlesex, the libellant in a libel for divorce—against you—began by you—has presented to said Court her petition representing that by decree of said Court, dated June 5, 1929 you were ordered to pay—into Court the

sum of _____ dollars as an allowance to said petitioner—pending the final determination of said libel—and—as alimony the sum of _____ dollars forthwith, on the _____ day of _____ 1929, and a further

sum of _____ dollars on each and every _____ thereafter—and—for the maintenance of the minor child _____ of said libellant and libellee—the sum of seven dollars forthwith, on the eighth day of June 1929, and a further sum of seven dollars on each and every Saturday thereafter, and it was ordered that said libellant have the care and custody of

the minor child _____ of said libellant and libellee and further representing that you have not obeyed said decree; have not paid—into Court—and—to her—said sums of money, and that there remains due and unpaid the sum of Six Hundred and Seventy-Nine dollars. Wherefore said petitioner prays that you may be ordered to appear before said Court to show cause if any you have why you should not be adjudged in contempt of Court for your failure to obey said decree.

You are hereby ordered to appear at a Probate Court to be held at Cambridge in said County of Middlesex, on the thirteenth day of February A.D. 1933, at ten o'clock in the forenoon, to show cause, if any you have, why the prayer of said petition should not be granted. And said petitioner is ordered to serve this order by delivering a copy thereof to you seven days, at least, before said Court.

Witness, JOHN C. LEGGAT, Esquire, First Judge of said Court, this twenty-fifth day of January in the year one thousand nine hundred and twenty-three.

Spring J. Jordan Register. Charles M. Austin

I have served the foregoing order as therein required.

MIDDLESEX, ss. January 30th, A. D. 1933. Personally appeared the above-named Charles M. Austin and made oath to the truth of the above return by him subscribed.

Before me, Louise M. Marx Notary Public Justice of the Peace My commission expires Sept 14, 1939

✓
D
P
C

No. 5702

5

Rachel James Libt.

Oliver H. James Libc.

DIVORCE
CONTEMPT
Petition — Decree.

Filed Jan. 25 1933.
Returnable Feb. 13 1933.
Capias Issued 192.
Decree Feb. 13 1933.
Mittimus Issued 192.
Rec. Book 1183 Page 453

For Petitioner:

Charles C. Willard.
44 Bromfield Street.
Boston, Mass.

For Respondent:

Oliver H. James pro se
14 Aberdeen Road
Somerville

MIDDLESEX, ss. A.D. 192

Respondent called and defaulted, and
capias ordered.

Judge of Probate Court.

To THE HONORABLE THE JUDGES OF THE PROBATE COURT IN AND FOR THE COUNTY OF MIDDLESEX:

RESPECTFULLY represents Rachel James of Watertown in said County

libellant in a libel for divorce begun in said Court by Rachel James of Watertown

against Oliver H. James of Somerville

that said Court, by its decree made on the fifth day of June A. D. 1929.

ordered said Oliver H. James to pay to your petitioner as alimony the sum of dollars on the day of 1929 and a further sum of dollars on each and every week for the maintenance of their minor child the sum of seven (7) dollars on the eighth day of June 1929, and a further sum of seven (7) dollars on each and every Saturday thereafter;

ordered that said libellant have the care and custody of their minor child, William Oliver James

and that said decree is still in force;

And your petitioner further says that said Oliver H. James has not obeyed said decree, and has not paid to her said sums of money and that there now remains due and unpaid to your petitioner under said decree the sum of Six Hundred and Seventy-Nine dollars being the total amount due and unpaid from and including March 21, 1931 to January 21, 1933 inclusive

Wherefore your petitioner prays that said Oliver H. James may be cited to appear before said Court to show cause why he should not be adjudged in contempt of Court for his failure to obey said decree, and for such other relief as to said Court may seem meet.

Dated this twenty-fourth day of January A.D. 1933 .

Rachel James

See amendment 5800

(292)

The libellant shall set forth in the libel whether or not any previous libel for divorce, or petition or libel for nullity, or petition for separate support has been brought by either of the parties, and if such a proceeding has been brought shall file with the libel a certified copy of the libel or petition in such other proceeding together with a certified copy of the docket entries relating thereto.

TO THE HONORABLE THE JUDGES OF THE PROBATE COURT IN AND FOR THE COUNTY OF MIDDLESEX:

RESPECTFULLY libels and represents Rachel James Watertown in the County of Middlesex that she was lawfully married to Oliver H. James now of Somerville, County and Commonwealth aforesaid at Fairfield, Connecticut on the twenty-third day of December, A.D. 1923, and thereafter your libellant and the said libellee have never lived together as husband and wife in this Commonwealth, to-wit: at

and last lived together at Bridgeport, Connecticut that your libellant has always been faithful to their marriage vows and obligations, but the said libellee being wholly regardless of the same, at Bridgeport on or about December 25, 1923 at said Bridgeport, said libellee utterly deserted your said libellant which desertion has continued up to the present time, a period of more than five consecutive years, and

that there has been born to them one child who is now living, and as a minor whose name and date of birth are as follows: William Oliver James March 19, 1924

Wherefore your libellant prays that a divorce from the bond of matrimony between your libellant and the said libellee be decreed; and that the care and custody of said minor child be given to your libellant and that the said libellee be ordered to contribute to your said libellant such sums of money as may be necessary for the support and maintenance of the said minor child, and for such other orders as may seem meet and just to this Honorable Court.

No previous libel for divorce or petition or libel for nullity or petition for separate support has been brought by either of the parties

Dated this fifteenth day of February A.D. 1928 Rachel James

COMMONWEALTH OF MASSACHUSETTS.

PROBATE COURT.

MIDDLESEX, ss. Oliver H. James of Middlesex in the County of Waterbury in the County of GREETING:

WHEREAS, Rachel James of Middlesex, the libellant in a libel for divorce against you begun by you has presented to said Court her petition representing that by decree of said Court, dated June 5, 1929 you were ordered to pay into Court the sum of dollars as an allowance to said petitioner pending the final determination of said libel and as alimony the sum of dollars forthwith, on the day of 192, and a further sum of dollars on each and every thereafter and for the maintenance of the minor child and libellant and libellee the sum of seven dollars forthwith, on the 12th day of June 1929, and a further sum of seven dollars on each and every Saturday thereafter, and it was ordered that said libellant have the care and custody of

the minor child of said libellant and libellee and further representing that you have not obeyed said decree; have not paid into Court and to her said sums of money, and that there remains due and unpaid the sum of Six Hundred and Seventy-Nine dollars. Wherefore said petitioner prays that you may be ordered to appear before said Court to show cause if any you have why you should not be adjudged in contempt of Court for your failure to obey said decree.

You are hereby ordered to appear at a Probate Court to be held at Cambridge in said County of Middlesex, on the thirteenth day of February A.D. 1929, at ten o'clock in the forenoon, to show cause, if any you have, why the prayer of said petition should not be granted. And said petitioner is ordered to serve this order by delivering a copy thereof to you seven days, at least, before said Court.

Witness, JOHN C. LEGGAT, Esquire, First Judge of said Court, this twenty-first day of January in the year one thousand nine hundred and twenty-three.

I have served the foregoing order as therein required. *James C. Leggat* Register.

MIDDLESEX, ss. January 30th, A. D. 1929. Personally appeared Charles M. Austin and made oath to the truth of the above return by him subscribed. Before me, *George M. Hart Justice of the Peace* My commission expires Sept 14, 1929

Judge of Probate Court.

MIDDLESEX, ss. A.D. 192
Respondent called and defaulted, and
capias ordered.

For Respondent:
Oliver H. James pro se
170 Bedford Street
Boston, Mass.

For Petitioner:
Charles C. Willard,
44 Bromfield Street,
Boston, Mass.

Filed *JAN 25* 1923
Returnable *JAN 13* 1923
Capias Issued 192
Decree *256 13* 1923
Mittimus Issued 192
Rec. Book *1185* Page *453*

Petition - Decree.
DIVORCE
CONTEMPT
Rachel James
Libt.
Oliver H. James
Libe.

No. *5702*
5702

57

To the Honorable the Judges of the Probate Court in and for the County of Middlesex:

RESPECTFULLY represents Rachel James of Watertown in said County

libellant in a libel for divorce begun in said Court by Rachel James of Watertown

against Oliver H. James of Somerville

that said Court, by its decree made on the 15th day of June A. D. 1929.

ordered said Oliver H. James to pay to your petitioner the sum of \$100.00

for the maintenance of their minor child the sum of \$10.00 per week

seven (7) dollars on the 15th day of June 1929, and a further sum of \$10.00 on each and every Saturday thereafter;

ordered that said libelant have the care and custody of their minor child, William

Oliver James

and that said decree is still in force;

And your petitioner further says that said Oliver H. James has not obeyed said decree, and has not paid to her said sums of money and that there now remains due and unpaid to your petitioner under said decree the sum of Six Hundred and Seventy-Nine (79) dollars

being the total amount due and unpaid from and including March 21, 1931 to January 21, 1933 inclusive

Wherefore your petitioner prays that said Oliver H. James may be cited to appear before said Court to show cause why he should not be adjudged in contempt of Court for his failure to obey said decree, and for such other relief as to said Court may seem meet.

Dated this twenty-fourth day of January A. D. 1933.

Rachel James

See attachments 5700

No. 5702

Rebel James
Oliver H. James

Libel
Libe.

LIBEL FOR DIVORCE AND DECREE.

Filed
Feb 16 1929

Returnable
March 18 1929

Decree
June 5 1929

Rec. Book 1115 Page 86

Doctor's Certificate
\$7 medical supp & child
Hearing May 29 1929

For Libelant
6.6.29
5-9-29

For Libelant
6.6.29
5-9-29

Charles O. Willard
44 Bromfield Street
Boston, Massachusetts

For Libelant
6.6.29
5-9-29

Northwick
294 Northway Ave
Boston

Middlesex, ss. A.D. 192

Let attachment issue as prayed for, to the amount of

dollars.

Judge of Probate Court.

COMMONWEALTH OF MASSACHUSETTS.

MIDDLESEX, SS.

At a Probate Court holden at Cambridge in and for the said County of Middlesex, on the thirtieth day of February in the year of our Lord one thousand nine hundred and twenty thirty-three

ON the petition of Rachel James of Mettowee in said County

praying that Oliver H. James of Somerville in the County of Middlesex, may be adjudged in contempt of said Court for his failure to obey the decree of said Court made on the fifth day of June A.D. 1929, on a libel for divorce brought by said

Rachel James against said Oliver H. James said Oliver H. James having had due notice of said petition, and having been brought before said Court and it appearing to the Court that said

Oliver H. James now owes under said decree the sum of six hundred seventy seven dollars which he neglects and refuses to pay;

~~It is adjudged that said _____ is guilty of contempt of Court in his said neglect and refusal, and it is ordered that he be committed to the jail at Cambridge, in said County of Middlesex, for the term of _____ days, unless sooner discharged by the payment of the said sum of _____ dollars and the costs of serving mittimus, or by the further order of the Court, and that a mittimus issue accordingly.~~

John G. Lyzant Judge of Probate Court.

COMMONWEALTH OF MASSACHUSETTS.

MIDDLESEX, SS.

At a Probate Court holden at Cambridge in and for said County of Middlesex, on the fifth day of June in the year of our Lord one thousand nine hundred and twenty-nine

ON the libel of Rachel James

of Watertown in said County praying

that a divorce from the bond of matrimony between her and Oliver H. James

of Somerville in said County be decreed.

IT IS DECREED, nisi, that a divorce from the bond of matrimony between the said libellant and the libellee be granted the said libellant for the cause of desertion

on the part of the said libellee and that, upon and after the expiration of six months from the entry of this decree it shall become and be absolute, unless upon the application of any person interested, within such period, the Court shall otherwise order, and it is further decreed that the said libellant shall have the care and custody of William Oliver James the minor child of herself and said libellee and that said libellee pay to said libellant for maintenance of said child the sum of seven dollars on Saturday the eighth day of June, A.D. 1929 and the further sum of seven dollars on each and every Saturday thereafter until the further order of the Court.

Charles S. Harris Judge of Probate Court.

COMMONWEALTH OF MASSACHUSETTS.

MIDDLESEX, SS.

At a Probate Court holden at Cambridge in and for the said County of Middlesex, on the thirteenth day of February thirty three in the year of our Lord one thousand nine hundred and twenty three.

ON the petition of Robert Jones of Westboro in said County

praying that Olive H. Jones of Lowell

in the County of Middlesex, may be adjudged in contempt of said Court for his failure to obey the decree of said Court made on the fourth day of June A.D. 1927, on a libel for divorce brought by said

against said Olive H. Jones having had due notice of said petition, and having been brought before said Court and it appearing to the Court that said Olive H. Jones

now owes under said decree the sum of one hundred twenty three dollars which he neglects and refuses to pay,

It is adjudged that said is guilty of contempt of

Court in his said neglect and refusal, and it is ordered that he be committed to the jail at Cambridge, in said County of Middlesex, for the term of days, unless sooner discharged by the payment of the said sum of dollars and the costs of serving writs, or by the further order of the Court, and that a writ of habeas corpus issue accordingly.

John G. King, Jr.
Judge of Probate Court.

COMMONWEALTH OF MASSACHUSETTS.

MIDDLESEX, SS.

At a Probate Court holden at Cambridge
of Middlesex, on the 17th day of June
in the year of our Lord one thousand nine hundred and twenty-nine

ON the libel of Rachel James

of Watertown in said County praying
that a divorce from the bond of matrimony between her and
Oliver H. James

of Somerville in said County
be decreed.

It is decreed, *viz*, that a divorce from the bond of matrimony between the said libellant
and the libellee be granted the said libellant for the cause of desertion

on the part of the said libellee and that, upon and after the expiration of six months from
the entry of this decree it shall become and be absolute, unless upon the application of any
person interested, within such period, the Court shall otherwise order, and it is further
decreed that the said libellant shall have the care and custody
of William Oliver James the minor child of herself and said
libellee and that said libellee pay to said libellant for
maintenance of said child the sum of seven dollars on
Saturday the eighth day of June, A.D. 1929 and the further
sum of seven dollars on each and every Saturday thereafter
until the further order of the court.

Charles J. Harris
Judge of Probate Court.

5800 JAMES
Petition for Annulment

(196)

TO THE HONORABLE THE JUDGES OF THE PROBATE COURT IN AND FOR THE COUNTY OF
MIDDLESEX:

libels and
RESPECTFULLY represents Oliver H. James,
of Somersville,

in the County of Middlesex,

that he and Rachel James,
now of Watertown, in the said County of Middlesex,
were joined in marriage, lawfully solemnized at Fairfield, Connec-
ticut,

on the 23rd day of December, A. D., 1923, and
thereafter your libellant and the said Rachel James never
lived together as husband and wife in this Commonwealth,
but last lived together in the State of Connecticut, to wit:
at Bridgeport, Connecticut,

but that your libellant now doubts the validity of said marriage
for the following reasons:

That the said marriage ceremony was procured by fraud and duress;
that the said libellee falsely and fraudulently represented that
she had begotten with a child by your libellant; that your libel-
lant lived at Bridgeport, Connecticut, at the time of his marriage,
and that the said libellee through a sheriff from Fairfield, Connec-
ticut, threatened to send the libellant to jail unless he married
the said libellee; that because your libellant was put in fear and
was threatened with arrest and commitment to jail, he did permit
said marriage ceremony to take place, but did not do so as of his
own free act. Further that at the time of his marriage, your li-
bellant was under the age of twenty-one years, and that the said
marriage was not consented to by his parents, and according to the
laws of the State of Connecticut said marriage was not valid;
that there has been born a child to said libellee, who is living,
and is a minor, whose name and date of birth is as follows:

William Oliver James, born March 19, 1924.

that since the time of said marriage your libellant has never co-
habited with the said libellee, that your libellant has repudiated
and disclaimed the child born unto the said libellee.

Therefore, your libellant prays that said marriage be annulled
and declared void, and for all other proper relief, *as previously stated in
his own bill filed case # 5762, Middlesex Probate Court, but no previous petition for nullity or separate support
has ever been brought by either of the parties.*

Dated this 8th day of March, A. D., 1926.

Oliver H. James

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Probate Court

Annulment

No. 5800

OLIVER H. JAMES,
Libellant

vs.

RACHEL JAMES,
Libellee

ANSWER OF LIBELLE

Now comes the Libellee in the above-entitled action and for answer admits that she and the Libellant were married on the 23d day of December, 1923; admits that she and the Libellant ^{never} lived together as husband and wife in this Commonwealth but last lived together at Bridgeport, Connecticut, and admits that a child was born to the Libellee and the Libellant on March 19, 1924, and that the child's name is William Oliver James. Each and every other allegation in the petition the libellee denies as fully and completely as though each were set forth and specifically denied.

Wherefore, the Libellee prays that the petition for annulment be dismissed.

Rachel James.
Libellee.

MIDDLESEX, SS.
PROBATE COURT.

Annulment
No. 5800

Oliver H. James, Libellant v. Rachel James Libellee.

APPLICATION FOR ALLOWANCE.

Respectfully represents the libellee Rachel James that she believes that she has a defence to this libel and intends in good faith to contest it and to use for such defence any allowance made.

Wherefore she asks an allowance to enable her to defend the libel.

Rachel James
Libellee.

I believe the above statement to be true.

W. B. Donnell
Libellee's Attorney.

COMMONWEALTH OF MASSACHUSETTS.

MIDDLESEX, SS.

ORDERED, that the libellant on or before May 31 1929
June 8 June 8 1929
pay into the court the sum of 30 thirty dollars
as an allowance to said libellee. Said sum may be paid by the Register to the libellee's attorney.

Charles T. Harris Judge of Probate Court.

COMMONWEALTH OF MASSACHUSETTS

PROBATE COURT

MIDDLESEX, SS
No. 5800

OLIVER H. JAMES

vs

RACHAEL JAMES

DEPOSITION OF HEZEKIAH R. ELWOOD

The above-entitled action being on the list for trial on Wednesday, May 29th, it being 4 P. M. and the case not being reached, it is agreed by the parties between counsel that the statement of this witness may be taken and read in court on the agreement of both sides that if he were present he would so testify.

Q (By Mr. Bushnell) Hezekiah R. Elwood, Fairfield, State of Connecticut. Your occupation is what? A Constable.

Q Sometime in December, 1923, as a constable, was there placed in your possession a warrant for the arrest of Oliver H. James?

A Yes, sir.

Q I wish you would go ahead and tell the story in your own way, just where the warrant came from, what it was and what you did with it, what conversation you had with the parties.

A Well, the prosecuting attorney for the Fairfield Town Court is also a Judge of Probate Court, called me up and told me to come down, he had a matter for me to attend to. I went to his office and he handed me a warrant for the arrest of Oliver James - breach of peace warrant.

Q Breach of the peace, that is your form of warrant in Connecticut covering bastardy cases, is that so? A Yes, sir.

Q Go ahead. A I took the warrant Saturday afternoon sometime after twelve o'clock and went to Mr. James' home, I had the number on Kings Highway, I found no one home. I went there

right opposite the Town Hall. He came out of the church and went over to the Town Hall and the Prosecuting Attorney married them as a Justice of the Peace.

Q That is Mr. Bacon Wakeman? A Yes. The Justices of the Peace are elected in Connecticut and they have power to marry. I signed as one witness and John Bolger, who is my assistant, signed as another. I said, "Well, go home now and get some of that shoulder." They walked out of the Town Hall arm in arm. I got in my car and overtook them right at the corner and carried them over to Ashford Bridge, the dividing line between Bridgeport and Fairfield, and that is the last I ever saw of them.

Q As I understand it, your purpose in taking him to the girl and letting them talk together was to give them an opportunity to be married and the girl to withdraw the complaint, is that it?

A Yes, sir.

Q And that was what was done? A It was. I might say that the complaint came up in court Monday morning and was nullified.

Q That is the equivalent of our nol pros, a dismissal without any further action? A Yes.

- A I don't remember anything being said about the mother .
- Q Did the Judge ask these people their age? A No. The Town Clerk -
- Q The Justice of the Peace did not ask them their age? A He had the license.
- Q But didn't inquire from them as to their age. Isn't this true, he was reluctant at first about marrying this girl? A He said he had no job and no money.
- Q Did he say anything else? A He said he would marry the girl but he had no job and no money.
- Q Was there any talk then about any child or child to be?
- A Yes, there was talk about a child to be.
- Q Did you tell him that he would have to marry her or go to jail? A I don't think I told him that. No, I don't think I told him that. I imagine I inferred so - there was the warrant.
- Q That if he didn't marry her, he would go to jail? A Probably he thought so.
- Q Did you say that to him? A I don't remember that I did. This was five or six years ago, I don't claim to remember everything that was said.
- Q Would you say that you didn't say that? A I don't think I said - I won't say that I didn't say so.
- Q You have some records, didn't you? You kept some memoranda of this thing, didn't you? A Only on the warrant.
- Q What became of that? A I turned that into the court.
- Q Town Court, so that ~~ix~~ all the memoranda or notes that you had on it were returned to the Town Court? A Yes, sir.
- Q And that was immediately after this matter was adjusted?
- A The next morning.
- Q And since that time you haven't consulted with these records or you haven't had any papers to refresh your recollection?
- A No.

Q You won't say that you had a talk with Mrs. James about the child to be? A I don't think I did.

Q Will you say that you didn't? A I will not because it is too long ago.

MR. BUSHNELL. I think that is all.