



W I L L I A M A. W H I T L O C K

the complainant, being first duly sworn, was examined and testified as follows:

By Mr. Kahane

Q What is your name? A William A. Whitlock,

Q Where do you live? A 3934 Pine Grove Ave.,

Q What is your occupation? A Magazine and newspaper promotion,

Q How long have you lived in Chicago, Cook County, immediately preceding the filing of this bill?

A Fifty years,

Q When were you married to Josephine M. Whitlock?

A July 22, 1920,

Q How did you conduct yourself towards Mrs. Whitlock during your married life? A As a lawful husband,

Q How did she conduct herself to you?

A Brutally,

Q Directing your attention to March, 1924, what happened? A We had an argument about money and she punched me in the eye,

Q With her fists? A Yes sir,

Q What were the consequences? A A black eye,

Q Directing your attention to April, 1924 what happened?

-M-

A She scratched my face,

Q Did that produce any laceration?

A Yes, from the eye down,

Q What happened February 1925? A She took a gun and drew it at me and tried to shoot me,

Q Was the gun loaded? A Yes sir,

Q What happened? A I took the gun away from her,

Q May, 1925, what happened? A She took a knife from the kitchen and tried to get into the bedroom and use it,

Q Why didn't she use it? A I pushed the door shut,

Q Any children? A No sir,

Q Are you willing to make provision for Mrs. Whitlock in the form of alimony? A Yes sir,

Q What is a reasonable amount? A Two hundred dollars a month,

Q You are willing to secure that amount for her in case of your death, that shall continue?

A Yes sir,

COURT: Where is your wife now?

A She is in the hospital in Milwaukee,

COURT: What's the matter with her?

A She is of a very nervous temperament,

COURT: She knows about this proceeding? A Yes sir

MR. MARKS: <sup>This is</sup> That's part of the agreement with Union Joint C.

MR. KAHANE: I will make it part of the decree,  
it cannot be changed without an order of court, we will  
give the defendant the right, at any time, to come in and  
modify the alimony order,

COURT: How long has she been in the hospital?

A A couple of months,

COURT: Any cross?

MR. MARKS: No sir,

COURT: Better attach a copy of this agreement,

COURT: How did you treat your wife? A All right,

COURT: As far as you know, you didn't give her any  
cause for these assaults? A We were arguing  
about money,

COURT: All the time? A Yes sir,

MR. MARKS: I understand the defendant has a  
terrible temper,

(Witness excused)

H A R R I E T K R U E G E R

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

By Mr. Kahane

- Q What is your name? A Harriet Krueger,
- Q Where do you live? A 4646 Magnolia Ave.,
- Q Do you know Mr. Whitlock? A Yes sir,
- Q Do you know Mrs. Whitlock? A I do,
- Q How long? A For a number of years,
- Q Did you frequently visit them at their home on Pine Grove? A Yes sir,
- Q And their other home before that? A Yes sir,
- Q March, 1924, were you present in their home on that date? A I was,
- Q What, if anything did you see happen?
- A Mrs. Whitlock struck Mr. Whitlock in the eye,
- Q With her fist? A Yes sir,
- Q Produce any discoloration? A Yes sir,
- Q Were you there on any other occasion? A Yes sir,
- Q When? A In the month of April,
- Q What year? A The same year,
- Q What did you see happen on that date?
- A Mrs. Whitlock scratched Mr. Whitlock's face that day,
- Q Did Mr. Whitlock give her any cause to do these things? A None whatever,

COURT: Next witness,

MR. KAHANE: That's all,

COURT: Were you living there with them?

A No sir, I was a visitor,

COURT: How many times were you there?

A A number of times,

COURT: What seems to be the trouble?

A She was just of a very nervous temperament,

Q Have you seen her lately? A No sir,

Q When was the last time? A It must be six

or seven months ago,

✓ Q Any defense to offer?

MR. MARKS: No

COURT: (To Mr.Marks) Were you to Milwaukee?

A Yes sir,

Q See her? A Yes sir,

Q Speak to her personally? A Yes sir,

Q Where is she? A In the Sacred Heart

Sanitarium,

Q How did you find her? A She is of a high temperament and great austerity of temper, She flies off into a temperamental fit,

Q Did you explain to her about this?

A Yes sir, she knows the proceedings have been instituted,

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COURT: Discuss it with her?

A Yes sir, as much as I could without getting her under a strain,

Q She understands the proceeding is pending?

A Yes sir, she has been served with a copy of the bill,

Q Has she no friends or relatives?

A She has friends in the upper Peninsula, of Michigan,

Q Did you discuss it with them? A No sir,

Q What did she say about the charge?

A Well, she has not said anything about the charge,

Q Or the defense?

A No defense to offer under the circumstances,

Q Is that what she said? A Yes,

Q Did you explain how much money is to be paid her?

A I didn't go into that but think under the circumstances it is sufficient, as at any time she seems to be in need she can have the decree modified, I think it is reasonable, she has the right to come into court and have it modified,

Q It seems to me that would have been one of your main objects in going to Milwaukee, to find out what the settlement is about,

A She can come in at any time and have this decree modified,

Q It is not a question of modification, it is a question of now,

A The complainant has proven the charges, that is all I thought was necessary,

Q It is not a question of proving the object is to advise the court of all the circumstances and know what the defendant is doing, her condition, physically and mentally,

A I think that has been covered,

Q That may be true. Does she know what the settlement is about?

A Well, it is a reasonable settlement, under the circumstances, \$200 per month, as far as I know,

Q Well it must meet with her approval; if she is not in a physical condition to understand it then she cannot put in a defense of any kind,

A The decree, if the court please, does not decide if the alimony is right or wrong, it is an order of court,

Q I think you should make a thorough investigation, Consult her, so there can be no question or come back, Mr. Whitlock has made out his case as far as cruelty is concerned but a woman, being in a nervous state of mind, and being now

in a hospital, the court has to be satisfied that she understands the situation. Some one of her family should be here; they could explain it to her in a way that there can be no question,

A If the court please, a man or woman is entitled to a divorce,

Q Well, if the court should appoint a guardian ad litem, the court takes it for granted that she has all her faculties,

MR. KAHANE: I understand, if the court, please, the defendant defaulted and didn't enter an appearance. The complainant came into court of his own volition and asked the court to appoint some one for the question of alimony; ~~I think it very admirable of him to do that,~~

COURT: It is admirable of him but as long as it is brought to the attention of the court, Mr. Marks, the court, must have more information, I want absolutely full particulars and I want to have sufficient information that she knows what it is all about. If she has no defense, all right, and if she has, all right. Has she parents living?

MR. Whitlock: I don't know,

COURT: Sister, or something?

Mr. Whitlock: I think so,

COURT: Whereabouts?

Mr. Whitlock: Up in Michigan,

Q Does she know about this proceeding?

A Yes sir,

Q Well, I don't want to be unreasonable, but want protection, I advise that the sister come down here and take a trip to Milwaukee and talk the matter over, and make the answer in full, and put the sister on the stand; we cannot afford to have any one not satisfied,

MR. MARKS: The sister should be interested enough to come down,

MR. KAHANE: (To Complainant) You have her address, have you? A Yes sir,

MR. KAHANE: We will try, if she is not interested, she will not come,

COURT: She should know everything, that's going on, You better go back and advise her of the charge; the court indicates that it is going to grant the divorce, unless she has additional defense,

COURT: (To reporter) Make that a matter of record, in writing,

MR. KAHANE: Well, shall we continue this,

COURT: Any time you come in, I will hear it, come in tomorrow or Monday,

MR. MARKS: I will write to the sister,

COURT: Yes, it is important enough for her to come on, or write the sister a letter explaining everything and ask her opinion, that's the only defense you have?

MR. MARKS: Yes sir,

COURT: It is an unusually wonderful provision being made for her,

MR. MARKS: It protects her after the death of Mr. Whitlock; it gives the court full power to direct the alimony,

COURT: The only fault I find is with the friend of the court,

MR. KAHANE: I think Mr. Marks is of the opinion that the defendant was taken care of financially,

COURT: I will hold it on the call, you can come in any time,

Whereupon said cause was continued for further evidence.

STATE OF ILLINOIS  
COUNTY OF COOK

}  
SS

IN THE SUPERIOR COURT OF COOK COUNTY

WILLIAM A. WHITLOCK  
vs.  
JOSEPHINE M. WHITLOCK

}  
No. 447000

D E C R E E

This day came the complainant, WILLIAM A. WHITLOCK, by George A. Trude and David W. Kahane, his solicitors, and the defendant, JOSEPHINE M. WHITLOCK, by Harold E. Marks, appointed friend of the court herein, and this cause coming on to be heard upon the Bill of Complaint for divorce of the complainant herein, the answer of the defendant thereto and upon proofs taken and heard and the testimony of witnesses sworn and examined in open court in support of said Bill of Complaint (a certified copy of which evidence duly signed by the court is filed herein) and the defendant offering no testimony, and the court having heard the arguments of counsel for the respective parties, and being fully advised in the premises doth find:

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

It is further ORDERED, ADJUDGED and DECREED that the complainant pay to the defendant the sum of Two Hundred Dollars (\$200.00) on the first day of January, A. D. 1927 and the sum of Two Hundred dollars (\$200.00) on the first day of each and every month thereafter as and for her alimony as long as the defendant lives and remains unmarried, and in the event of the death of the complainant before the death of the defendant, said complainant shall make provision for the defendant as hereinafter provided.

It is further ORDERED, ADJUDGED and DECREED that to secure the payment each month of the said sum of Two hundred dollars (\$200.00) as provided herein, the complainant shall deposit with the Union Trust Company securities of the value of Forty thousand dollars (\$40,000.00) to be held by said Union Trust Company for security for the payment of said monthly installments of alimony to the said Josephine M. Whitlock, the defendant herein. Said Union Trust Company to hold said securities as long as said defendant shall live and be unmarried. The instrument making such deposit with the Union Trust Company shall contain the provisions and be in the form substantially as follows:

"Chicago, Illinois  
December 30 1926.

Union Trust Company,  
Chicago, Illinois.

Gentlemen:

WHEREAS this day there was entered in the Superior Court of Cook County a decree for divorce in favor of the undersigned and against Josephine M. Whitlock, in case entitled William A. Whitlock (undersigned) vs. Josephine M. Whitlock No. 447000; and it

is provided in said decree, among other things, that the undersigned pay to said Josephine M. Whitlock the sum of Two hundred dollars (\$200.00) on the first day of each and every month during the natural life of said Josephine M. Whitlock, beginning with the first day of January, 1927; and it is further provided in said decree that the undersigned deposit with the Union Trust Company securities of the value of Forty thousand dollars (\$40,000.00) to be held by said Union Trust Company as security for the payment of said monthly installments of alimony to the said Josephine M. Whitlock;

NOW THEREFORE, in accordance with the terms of said decree, I herewith deposit with you the following securities of the value of Forty thousand dollars (\$40,000.00), to-wit:

First mortgage for \$10,000 secured by trust deed on real estate in Highland Park, Illinois, made by John R. and Ruth C. M. Stephens, dated June 21, 1924, due July 1, 1930, with interest at the rate of six per cent per annum, due semi-annually in January and July of each year;

First mortgage for \$22,500 secured by real estate in Chicago, Illinois, made by Marie Louise Carter, dated July 6, 1923, due July 6, 1927, with interest at the rate of six per cent per annum, payable semi-annually in January and July of each year;

First mortgage for \$8,000, secured by real estate in Chicago, Illinois, made by The Salvation Army, dated April 21, 1924, due April 21, 1929, with interest at the rate of six per cent per annum, payable semi-annually in April and October of each year.

In the event of a default by the undersigned in the payment of any installment of alimony to be paid to said Josephine M. Whitlock, in accordance with the terms of said decree, then said security shall be subject to any order that may be entered in the said Superior Court of Cook County, to charge and subject said securities and realize from the same said installments of alimony in a manner to be provided by the order of court. You shall not take notice of any default until such order shall be entered by said court and copy of such order served upon you, and during the time until such order shall be entered by the Superior Court of Cook County, you will hold said securities subject to the following terms and conditions:

1. All of the income from said securities shall be paid to the undersigned as and when the same shall be earned and become due and payable.

2. Upon the death of the said Josephine M. Whitlock all of said securities herewith deposited with you shall immediately be re-delivered to the undersigned.

3. Upon the death of the undersigned (Josephine M. Whitlock then being alive) all of the income from said securities shall be paid over to Josephine M. Whitlock as and when the same shall be earned and become due and payable during her natural life, and upon the death of said Josephine M. Whitlock (the undersigned then being deceased) all of said securities, together with any accumulated income thereon, shall be turned over and delivered to such person or persons as shall be named in the Last Will and Testament of the undersigned, as being entitled thereto.

4. Your reasonable charges for your acts and doings hereunder shall be paid by the undersigned and you shall have a first lien upon the said securities for the payment of same.

5. The securities herein mentioned and herewith delivered to you shall be retained by you so long as said Josephine M. Whitlock shall live or the securities herewith deposited are released by an order of the Superior Court of Cook County.

6. The undersigned reserves the right at any and all times to substitute securities of the same value for all or part of the securities herewith deposited, but such substitution shall at all times be done only by order of the Superior Court of Cook County.

Very truly yours,

William A. Whitlock"

It is further ORDERED, ADJUDGED and DECREED that either party may at any time apply to this court to change or modify this decree with respect to the amount of alimony provided herein, as the circumstances of the parties shall require.

*Handwritten:*  
H. M. G. G. G.  
Amicus Curia

*Handwritten signature:* Joseph H. ...  
JUDGE

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December 29th, 1926.

Court met pursuant to  
adjournment,

Present: Same as before.

M I S S C. B A R A S A

called as a witness, being first duly sworn was examined and testified as follows:

MR. MARKS: State your name? A Miss C. Barasa,

Q Where do you live? A In Michigan,

Q Do you know the complainant and defendant? A Yes sir

Q What relationship do you bear to Mrs. Whitlock?

A My sister,

Q When did you see your sister last? A Monday,

Q That was December 27th? A Yes sir,

Q Does she know about this divorce? A Yes sir,

COURT: Did you discuss it with her? A Yes sir,

MR. MARKS: What does she say about it?

A Nothing,

Q Does she admit everything in the bill and says  
everything is o. k? A Yes sir,

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Q Did you discuss anything about the settlement, with her, about the \$200 a month?

A Well, I didn't know about that until later. When we first discussed that we didn't know it,

Q You were there on Thanksgiving Day?

A Yes sir,

Q You took up this settlement with me, did you?

A Yes sir,

Q And you understand it perfectly? A Yes sir,

Q And you are perfectly satisfied that Mrs. Whitlock will be taken care of under this settlement?

A Yes sir,

COURT: Any questions?

COURT: How long has your sister been in Milwaukee?

A Since July,

Q How is her condition? A Well, she has been very nervous,

Q Her mentality is all right? A Yes sir,

Q Perfectly normal? A Yes sir,

Q Did you discuss the charges with her?

A Yes sir, I have,

Q What did she say? A Nothing, she said that was the only thing to do,

Q When you talked to her about the divorce proceedings pending, did you explain to her everything?

A Yes sir, she understood everything,

Q She understands he is to get a divorce if sufficient evidence is presented, and he is to support her and take care of her?

A Yes sir,

Q You are her only sister? A I have one more sister,

Q Have you talked to her? A Yes sir, she knows everything,also,

Q In other words, you understand, and Mrs. Whitlock and your other sister understand the situation thoroughly?

A Yes sir,

Q There can be no question raised by them but that you know what is going on?

A No sir,

Q You believe that a settlement is for the best interest of hers?

A Yes sir,

Q And that she has no defense to offer? A No sir,

Q I presume that covers it - covers everything that can be covered,

MR. KAHANE: The sister is very intimate and friendly with Mrs. Whitlock; she is the executrix of the estate of their mother, isn't that true, Miss Barasa?

A Yes sir,

Q And you pay money to your sister? A Yes sir,

Q And you visit your sister? A Yes sir, once a month,

Q And you have been there frequently?

A Yes sir,

COURT: There is no possibility of a reconciliation?  
A I don't think so,

Q (To Complainant) Any on your part?

A No sir,

COURT: Q Are you going to see your sister again?

A Yes sir,

Q When? A The latter part of the week,

Q Will you convey this message and tell her what is going on? A Yes sir,

Q Explain that the court has appointed this gentleman, (Mr. Marks) here to represent her?

A Yes sir,

Q And protect her rights? A Yes sir,

Q Will you report back to me what she says after you talk with her? A I will, if you want me to, I live in Northern Michigan though and will go straight home from Milwaukee,

Q You can write me a letter? A All right, yes sir,

Q I suppose there will be no objection to place that letter on file?

MR. KAHANE: Absolutely not,

COURT: If the letter is satisfactory to me, I shall sign the decree,

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(Witness excused)

Which was and is all the testimony  
and evidence given in the above  
entitled case.

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

Clara M. Hamilton being  
duly sworn, says that she is  
the reporter who took down in  
shorthand the evidence at the  
trial of the above case, and  
the foregoing is a correct tran-  
script of the same.

Clara M. Hamilton  
SUBSCRIBED and sworn to before  
me this 28th day of December  
A.D. 1926.

Margaret V. Doherty  
Notary Public.

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

David W. Kahane, being  
duly sworn, says that he is  
the Solicitor for the complain-  
ant in the above case, and, to  
the best of his belief, the  
foregoing is a true and cor-  
rect transcript of all the  
evidence heard.

David W. Kahane

SUBSCRIBED and sworn to be-  
fore me this 30th day of  
December A.D. 1926.

Samuel Erickson  
Notary Public *Copy*

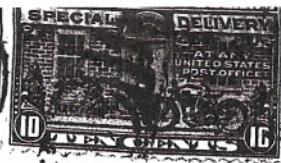
FORASMUCH, THEREFORE, as the matters and things hereinabove set forth do not fully appear of record, this complainant tenders this certificate of evidence, which said complainant prays may be signed and sealed by the Judge before whom said cause was heard.

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

*Joseph Sebasta*  
\_\_\_\_\_  
J U D G E

#####  
# SEAL #  
#####

(7)



22458/23

Judge Joseph Soboth  
Room 909 County Bldg  
Chicago Ill

PAID  
CHICAGO ILL  
DEC 29 1926

(8)

R2458/24

ST. MARY'S HILL  
545-27TH AVENUE  
MILWAUKEE



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St. Mary's Hill  
Milwaukee, Wis.

R2458/25

Judge Joseph Sabath  
Room 929 County Bld.  
Chicago Ill

Dear Judge,

I am here with my sister and  
we explained and told her everything that  
appeared in court this morning, and she is  
perfectly satisfied and agreeable with it all.

Yours respectfully  
Carmen J Barasa

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