

# **JUDGE SLATES WOMAN FOR BIGAMOUS MARRIAGE WITH YOUNG SOLDIER**

**I** *MUST say at once that I don't regard the testimony of the respondent's wife on oath as worth considering," said Mr. Justice Bonney in the Divorce Court last week, when refusing to award costs*



**MRS. GREENSTEIN.**

*against a respondent Cor-*

against a co-respondent, Corporal Arthur Kilby, A.M.F., and granting Maurice Wolfe Greenstein, a Daily Telegraph compositor, a decree nisi on ground of Mrs. Jean Greenstein's bigamous adultery. Mr. Justice Bonney added: "It seems to me that the wife trapped this young man Kilby into the position in which he found himself."



## **ARTHUR KILBY.**

**S**HE went through a certain form of marriage with him, representing that she was a widow, and told a police officer who subsequently made investigations that at the time of the ceremony she had received word that her husband had lost his life in Greece or Crete.

“And now it is perfectly clear that for more than a week before she contracted the bigamous union she knew her husband was alive and a prisoner of war in Germany.

“Indeed, there is in existence a letter which she wrote to her husband a week previously. She must consider herself extremely fortunate that that document did not come out during the criminal proceedings against her.

“I think it was the wife's conduct that really brought all this about. She did not wear a ring, and she made the express misstatement that her husband was dead.

## **“Joining Forces”**

“As soon as the co-respondent discovered the true position, he reported all the circumstances to the Registrar-General. And now we find the

...in the circumstances to the Registrar-General. And now we find the husband and the respondent wife joining forces to attempt to compel the co-respondent to pay costs. I make no order as to costs," said Mr. Justice Bonney.

Born at Odessa, Russia, 45 years ago and coming here from England in 1913, Greenstein is a veteran of two wars, 1914-18 and the present war.

In 1941 he was posted missing, but it transpired he had been captured at Crete on May 30, 1941. He was among the first Australians repatriated from Germany after 2½ years' captivity, suffering from a strained heart. Three days after he got back to Sydney, in September, 1943, he contacted his wife.

"She admitted that some months after I went overseas she committed adultery," said Greenstein, who lives at 102 Roscoe St., Bondi Beach. "She handed me a written confession.

"I had never met nor heard of Kilby until then," Greenstein added. "I had never seen him until he came into this court today."

Greenstein said that while he was away his wife wrote very rarely, but when he was in Stalag XIII C, Germany, he received this letter dated October 19, 1941, a week before she went through a form of marriage with Kilby:

October 19, 1941.

My dear Wolfe.—Just imagine the excite-

My dear Wolfe.—Just imagine the excitement at hearing from you after all these months after us thinking you dead. Well, thank God you are at least safe . . . I wonder if you got my last letter before you were captured? I have always been fair and truthful and what I wrote was true. I have been a very unhappy person under the circumstances as life is short and it doesn't offer much when there is no happiness . . . I must tell you if I were in a different position I believe I would marry as I am very much in love with someone who returns my love and I have never in all my life wanted anything as much as I want him. It is true love such as I have never experienced, so Wolfe you can understand the sad state of affairs and as I have never really lived with my husband for years, and he left me saying he would never return to me, what more can I say about him but I wish I were free . . . Good luck to you and God bless and keep you from any harm. From your ever sincere

JEAN.

Mrs. Greenstein (formerly Piraner) was 21, an embroideress, born in Glasgow, when Greenstein married her at the Great Synagogue, Sydney, in 1924. There is a daughter aged 20, and a son 17.

Using her maiden name, giving her age as 33, and describing herself as a

Evidence was produced that Mrs. Greenstein was convicted of bigamy at the Parramatta Quarter Sessions in February, 1943, and released on bond

spinster and a traveller, she had gone through a form of marriage with Kilby (26) millhand, 63 Victoria St., Granville, at the Registry Office,



**Maurice Wolfe  
Greenstein.**

Granville, on October 25, 1941, it was stated.

Aaron Greenstein, son of the parties, said Kilby was a frequent visitor to his mother's home at 16 Glasgow Ave., Bondi, after they had met him while on a holiday at Wallacia, in December, 1940.

In evidence Mrs. Greenstein admitted adultery with Kilby, whom she said she had met at a dance at Wallacia. She said her children had dis-

lacia. She said her children had discussed their father in front of Kilby.

"Kilby was in camp when he rang me up and discussed marriage," said Mrs Greenstein. "He told me to make arrangements and meet him at Granville. He had supplied the particulars before the ceremony. He gave the information that I was a spinster.

### **"Couple of Spots"**

**"We had a couple of spots. I am not used to drinking, and I was a bit shaky. I remember very little about what happened before the ceremony."**

To Mr. Furnell (for Kilby, regarding costs only), Mrs. Greenstein denied that she had posed as Miss Piraner when she first met Kilby.

Mr. Justice Bonney: At the time you were married, did you tell Kilby your husband was dead?—I told him my husband was missing. He knew the position as well as I did.

Arthur Kilby, now stationed with a searchlight company in Queensland, admitted adultery, but denied that he had any knowledge that her husband was alive when he married Mrs. Greenstein.

**He had known her only as Jean for a considerable time, and learned her name was Greenstein only some two or three months after the Wallacia meeting, he said.**

Kilby said he had never seen Mrs. Greenstein wearing a wedding ring. At her flat he had met a girl and a

At her flat he had met a girl and a boy, but it was not for some considerable time that he learned they were Mrs Greenstein's children.

## **Said Husband Dead**

Then Mrs. Greenstein had told him that her husband had been killed, said Kilby.

"Marriage was first discussed about six weeks or two months before the ceremony," he said.

"There had been quite a few occasions upon which we had been intimate, and I honestly believed her when she gave me to understand that she was in a certain condition."

Kilby said that after the marriage he addressed letters to his wife as "J. Greenstein" or "Mrs. Jean Greenstein," and not to "Mrs. Kilby," because she had suggested that course.

**On January, 1941, he first became suspicious that Greenstein was alive. When he asked Mrs. Greenstein if she realised her position, she replied, "I do. The best thing to do is to get my first marriage annulled, and then we can get married again."**

Kilby said he did not live with her after that. He reported the facts to the authorities.

He had married again in December 1942.

Mr. C. P. Throsby (by Dawson and Herford) for Greenstein; Mr. L. C. Furnell (by Bowman and McKenzie, agents for J Peedom, Wollongong) for Kilby, on the question of costs only.

**question of costs only.**