

So. Forsom County Circuit Court
Case File - Civil

Box

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Folder 60

May 1868, No. 181

Hollenbeck, John Henry

vs

Hollenbeck, Cecilia

Divorce

Martied 10 May 1865; desertion;
abuse; child Magdaline Hollenbeck

John Henry Wollenbeck

^{vs}
Cecelia Wollenbeck

In the Circuit
Court of Jefferson
County Missouri

Plaintiff States that he was
Lawfully married to the Defendant
in the County of Jefferson Missouri
on the 10th day of May 1865
that he continued to live with Defendant
as her husband from and after the
day and year last aforesaid ~~and~~ until
the 4th of April 1868, with the exception
of one year and nine months that the
Defendant without cause abandoned &
remained away from Plaintiff during
all of which time Plaintiff faithfully
deemed himself and performed all
his duties as the Husband of Defendant
and at all times treated her with kind-
ness and affection but that Defendant
wholly disregarding her duties as
the wife of Plaintiff - has since
said marriage offered such indignities
to Plaintiff as to render his condition
intolerable in this that Defendant did
in March 1866 abandon Plaintiff and
refused to live with him as his wife for
the space of twenty one months, & then only
returned to him ~~because~~ to prevent him
from being entitled to a divorce on the ground

of desertion, and also Defendant did
again on the 4th day of April 1868 abandon
Plaintiff without any cause or
justification whatever and openly
say & declare to Plaintiff & to his
friends and neighbors that she would
not live with him and refuse to go
to Plaintiff's home & live with him as
his wife, and Plaintiff says that
during said marriage Defendant
has treated him in a manner wholly
~~unbecoming~~ unbecoming a wife &
in such manner as to render his condi-
-tion wholly intolerable in that she has
~~been so violent in her temper~~ uniformly
treated Plaintiff with such violence that
Plaintiff could not see any pleasure or
satisfaction of his life she daily abused
and insulted Plaintiff by using violent
and abusive language towards him.
She rendered the condition of Plaintiff
intolerable by making threats of per-
-sonal violence towards him, by making
threats that she would shoot him, and
that she would have her brothers to whip
him, & by falsely accusing Plaintiff in
the presence of neighbors & other persons
on divers occasions of attempting to
poison her or of causing or permitting
it to be done, and by refusing for three or
four weeks from the 1st of February till the 1st of
March 1868 to cook for Plaintiff or to eat at his table

by refusing to allow Plaintiff's mother and relations that is his brothers and sisters to visit him at his home or to live on terms of friendship & sociability with him; —

And Defendant has been guilty of such cruel & barbarous treatment of Plaintiff since said marriage as to endanger the life of Plaintiff in that she has repeatedly threatened to kill & shoot Plaintiff. Plaintiff says that there was born of said marriage one child a girl named Maydeline now two years of age. & Plaintiff states that he has resided within this State one whole year next before the filing of this petition, and in consideration of the premises prays the Court that he may be divorced from the bonds of matrimony entered into as aforesaid with the Defendant that he may have the care and custody of his said infant child and that the Court will make such other & further orders touching the premises as may be just.

Williams & Johnston
Attys for Plaintiff

Henry Hellenbeck on his oath says that the facts stated in the foregoing petition are true to the best of his knowledge & belief and that the complaint is not made out of levity or by collusion

near or between the
Department for the men purpose of being
separated but in sincerity & truth for the
purpose as stated in the position

Sum to and
Subscribed before

me this 10th Nov 1868

Edw J Honey Oliver Esq,

By *Wm. H. Hollender*

John. H. Hollender

Harry Hollenbeck

my

Orceia Hollenbeck

Petition for
Divorce

original

Filed April 10th 1868,
C. J. Honey Clerk

Had paid by plaintiff

Clerk's issue process
Jos. J. Williams &
G. J. Johnston
Attys for repl.

THE STATE OF MISSOURI, }
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon *Cecilia Hollenbeck*

if she be found in your County, that she be and appear before the Hon. Judge of our Circuit Court, on the first day of the next term thereof, to be begun and held at the town of Hillsboro, within and for the County of Jefferson, on the *Seventh* Monday after the fourth Monday of *March 1868*, then and there to answer unto

John Wemy Hollenbeck

upon *his* original petition, a copy whereof is hereunto annexed and accompanies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,
with the seal thereof hereunto affixed, at office in Hillsboro, this
Tenth day of *April* A.D. 18*68*;

Elias F. Honey
Clerk Circuit Court.
Per C. F. Honey Deft

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JEFFERSON CIRCUIT COURT.

May Term, 1868

John W. Hollensack

= vs =

Cecelia Hollensack

original

John Williams

Sheriff fee \$1.00

I Entered this Writ in Jefferson County Mo on the 10th Day of April 1868 on behalf of Hollensack by delivering to her a true copy of this Writ and Petition

John Williams
Sheriff

Henry Hollensbeck, Plaintiff

Cecilia Hollensbeck, Defendant

In the Jefferson Circuit
Court, May Term
1868.

Now at this day comes said Defendant and for answer to the petition of the Plaintiff heretofore filed in this behalf admits that she and Defendant were lawfully ^{married} as is in said petition alleged. Defendant for further answer to said petition denies that she has since said marriage offered such indignities to Plaintiff as to render his condition intolerable in this - that Defendant did in March 1866 abandon Plaintiff and refused to live with him as his wife for the space of twenty one months & then only returned to him to prevent him from being entitled to a divorce on the ground of desertion - She denies that on the 4th day of April 1868 or at any other time she abandoned Plaintiff without any cause or justification whatever or that she openly said or declared to Plaintiff or to his friends or neighbors that she would not live with ^{him} as his wife or that she refused to go to Plaintiff's home & live with him as his wife. Defendant further answering denies that since said marriage she has treated Plaintiff in a manner wholly unbecoming wife and in such a manner

as to render his condition wholly intolerable
in that she treated him with such violence
that Plaintiff could not see any pleasure or
satisfaction of his life or that she daily
abused and insulted Plaintiff by using
violent and abusive language towards
him or rendered his condition intolerable
by making threats of personal violence
towards him by making threats that
she would shoot him or that she would
have her brothers to whip him by falsely
accusing Plaintiff in the presence of
neighbors & divers persons on divers
occasions of attempting to poison her
or of causing or permitting it to be done
or that she refused for three or four
weeks from the 1st day of February till
the 1st day of March 1868 to cook for Plain-
tiff or to eat ~~at~~ at his table or by refusing
to allow Plaintiff relations to visit him.
Defendant further answering denies
that she has ^{not} been guilty of such cruel and
barbarous treatment towards Plaintiff as
to endanger his life by threatening repeatedly
to shoot & kill Plaintiff.

Defendant avers that she did at all
times during said marriage treat the
Plaintiff with kindness and affection, but that

Plaintiff wholly disregarding his duties as the husband of the Plaintiff, on or about the 4th day of April 1888 abandoned Plaintiff & her little child without any provisions or any means whatever for her support & ever since that time she has been & is now dependent upon friends & relatives for support. She says that the child mentioned in the petition is a girl of tender age: that she is more capable of attending to the wants of said child than any man can be. She therefore prays the Court to grant her sufficient alimony to support herself & child during the pendency of the suit and upon a final hearing to award her such alimony as is just & reasonable for such time as may seem right and also to make an order for her to have the care custody & control of said child.

John L. Horney

Atty for Defendant.

Cecilia Hollenbeck makes oath & says that the above answer & the matters therein stated are true.

Sworn to & subscribed
before me May 12th 1888
Elias P. Horney Clerk

Cecilia L. Hollenbeck

Henry Hollensbeck

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Cecilia Hollensbeck

Answer of Sept.

Filed May 21st 1868,
Ef. H. May 21,

Wallenbeck }
no
Wallenbeck }

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 $\times 20$

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Geo Williams Esq - New York, N.Y.
 4 Cases —————
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$$\begin{array}{r} 1.20 \\ \hline 16.55 \end{array}$$