

Tollerson County Circuit Court
Case Files - Civil

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September 1870

Kyser, Byron

vs

Kyser, Mary Hannah

Divorce

Married 25 December 1868;
Desertion

In Circuit Court Jefferson County-

Brown Ryse

Plaintiff

against

Mary Hannah Ryse

Defendant

Plaintiff states that on the 25th day of December A.D. 1868 in the County of Jefferson in the State of Missouri he was lawfully married to the defendant. That plaintiff continued to live with defendant as her husband from and after the day & year aforesaid until the 8th day of June A.D. 1869. That during all that time plaintiff faithfully demeaned himself and discharged his duties as the husband of said defendant and at all times treated her with kindness and affection, but the said defendant wholly disregarding her duties as the wife of plaintiff absented herself without a reasonable cause for the space of one year from said plaintiff. And the plaintiff further states that he has resided in this State one whole year before the filing of this petition. The plaintiff therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with the defendant, and such other & further relief in the premises as may be just & equitable -

Brown Ryse Plaintiff in person

Byron Kysel the affiant and plaintiff makes
oath & says that the facts stated in the above petition
are true according to the best knowledge & belief of
the plaintiff and that the complaint is not
made out of levity or by collusion, fear or res-
traint between the plaintiff & defendant, for
the mere purpose of being separated from
each other but in sincerely & truth for the causes
mentioned in the petition

Subscribed & sworn to
before me this 12th day of June A.D. 1870
Byron Kysel
Geo A Cherry
Notary Public



In Circuit Court
Jefferson County

Upon Order
Plaintiff

Grants

Mary Hannah & son
defendant

— 11 —

Paid for services

Dated June 13th 1870

Wm. B. Brown att

Wm. B. Brown att

Wm. B. Brown att
\$5.00

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

THE STATE OF MISSOURI,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON—GREETING:

We command you, that you summon *Mary W.*

Kyser,

if she be found in your County, that she be and appear before the Honorable
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 *First* ~~Monday after the fourth Monday~~
of ~~September~~ next, then and there to answer unto

Byron Kyser,

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 *28th*

day of *June* A. D. 18*78*

Elias F. Honey Clerk Circuit Court.

By *Lewis H. Alfred* Deputy.

(L. H.)

2839 ✓

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

Sept Term, 1877

Ex parte Hyer

Plaintiff

AGAINST

Mary H. Hyer

Defendant

Ordy

Admors	Vol 6 Aug 2	1877
rule	" "	206
Leave to amend	" "	232
Dismissal	" "	313

The within was served on the 28 Day of June 29 1870
at Jefferson County Mo by Delivering a true copy of the
within writ and Petition to the within named Defendant
Mary H Hyer as furnished to me by the clerk of the
Circuit Court
fcs 100

Fred Luedemeyer Sheriff
J Fred Vollmar
Deput

Byron Kyser, - Plaintiff } In the Circuit
Against } Court Jefferson
Mary Hannah Kyser, - Defendant } County

Now comes the Defendant and de-
murs to the above Petition of Plaintiff, and states
the following grounds of objections,

- 1 - Because said Petition does not state facts
sufficient to constitute a cause of action, - in
this, - the allegations of the petition are too in-
definite, vague and uncertain,
- 2 - The petition does not aver when Defendant
absented herself from him, - whether at the
8th of June 1869, or before, or since that time, or
whether before ^{or since} the marriage.

} Abner Green
} Attorney for Defendant

In Grant Count
Jefferson County

Bryson Kyas

28,

May 22, Kyas

Benjamin

Filed Sept 15 1870
E. J. Howard

Byron Kyser In the Circuit
vs Court of Jefferson
Mary H. Kyser County Mo,

Plaintiff states that he was
lawfully married to the Defendant
in Jefferson County Missouri on
the 25th day of December 1868
that Plaintiff continued to live
with the Defendant as her
husband from and after the
day and year last aforesaid
until the 8th day of June 1869,
during all which time Plaintiff
faithfully demeaned himself
discharged and performed all his duties
as the husband of the Defendant
and at all times treated her
with kindness and affection
but that said Defendant wholly
disregarding her duties as the wife
of Plaintiff left the Plaintiff
without just or reasonable
cause and continued to and did
absent herself from Plaintiff
for the space of more than one
whole year next before the
filing of Plaintiffs original
petition in this cause, —

Plaintiff avers that he has
resided within the State of
Missouri for more than one
whole year next before the
filing by him of his original
Petition in this Cause, Plaintiff
therefore prays the Court in
Consideration ^{of the merits} to be divorced
from the Bonds of Matrimony
Contracted as aforesaid with
the Defendant, and that the
Court will grant such
other & further Relief as to
the Court may seem
just & proper

Jos. J. Williams
Atty. for Plaintiff

Byron Kyser on oath says that the
facts and allegations in the foregoing
petition are true to the best knowledge
and belief of Plaintiff and that the
Complaint is not made out of Sevil-
or by Collusion fear or restraint between
the plaintiff and defendant for the mere
purpose of being separated from

each other but in ~~sincerity~~ ~~sincerity~~
Sincerity and truth for the
Cause mentioned in the
petition

Sworn to and
Subscribed
before me this
day of
1871

}

James Apple
vs
Mary A. Apple
action for divorce
annulled relation
filed by leave of
court

filed Jan 3 1871,
W. S. Dodge Cl.
By Wm. H. Apple,