

Jefferson County Circuit Court
Case files - Civil
September 1871, No. 6

Box

28 Folder 40

Kohler, Mary Frances

vs

Kohler, John

Divorce

Married 25 April 1863 in St.

Louis; drunkenness; abuse;

children Clara, Anna, George

Kohler

Mary Frances Kohler
Plaintiff }
against } In the
John Kohler, Defendant } Circuit
} Court of
} Jefferson
} County Missouri

Plaintiff states that she was lawfully married to the Defendant in Saint Louis Missouri on the 25th of April 1863 that she continued to live with the Defendant as his wife from and after the day and year last ^{aforsaid} untill the 14th day of May 1871 that during all that time she faithfully demeaned herself and performed all her duties as the wife of the Defendant but that said Defendant wholly disregarding his duties as the husband of the Plaintiff has ever since the marriage aforesaid been guilty of habitual drunkenness, that is to say he has been addicted to habitual drunkenness for more than the space of one whole year since the marriage aforesaid and for more than one whole year next before the filing of this petition, and has offered such

indignities to the Plaintiff as to
render her condition intolerable during
the whole time that she lived with
him as his wife as aforesaid in
this that the Defendant habitually
used harsh abusive and scandalous
language to Plaintiff in this that he
on divers occasions called Plaintiff
a bitch and a whore and otherwise
abused her in a scandalous and
inhuman manner as well
when at home with Defendant
and in the hearing of their
children as in company and
in the presence of their neighbors
for Plaintiff avers that Defendant
habitually both in public and
private addresses and calls her
a bitch and when speaking of her
to her children or to his neighbors
speaks of her as that bitch,
that he habitually compels his and
Plaintiff's children to call Plaintiff
father an old son of a bitch that
by the use of this and divers other
abusive & scandalous language
the Defendant has continually
rendered her condition intolerable
that he has been guilty of all
manner of barbarous and inhuman

Treatment of Plaintiff during said marriage in that he habitually indulges and has habitually indulged in the most violent abuse of plaintiff addressing her habitually in a violent and abusive manner and plaintiff avers that Defendant publicly in the presence of a large concourse of people on the 4th of July 1870 violently abused her & called her a bitch & a whore in the hearing of said concourse of people at St. John's Church in Jefferson Co. Mo, that in January 1870 he used language to her of the same ^{in presence of} import, Mrs Margaret Weber, that he frequently called Plaintiff a whore and stated to others that the children born of plaintiffs & Defendants marriage were not his children which was done for the purpose of bringing Plaintiff into public disgrace & contempt & to render her condition intolerable & Plaintiff says further that since the marriage aforesaid Defendant has on divers occasions been guilty of such cruel and barbarous treatment of Plaintiff as to endanger Plaintiffs life, in that he on or about the 27th of December ^{intentionally} 1870, struck her a violent blow in the face with a large shovel of burning charcoal, and in January 1871 he struck & kicked

Plaintiff in violent and ~~abuse~~ Cruel manner & beat her violently and drove her away from home about Ten o'clock at night barefooted through snow & sleet and also he violently abused her and struck her a violent ~~blow~~ blow in the face about the 1st of May 1871 - and finally drove Plaintiff from home on the 14th of May 1871 - Plaintiff states that she has resided in this state of for more than one whole year next before the filing of this petition, that there were born of her marriage with Defendant the following named children Clara, a daughter aged 7 years, also Anna; a daughter aged 5 years, also George a son aged one year, that Defendant is seized & possessed of Real & personal property of the value of ~~Twenty Two hundred Dollars~~ Three Thousand Dollars, and in consideration of the premises Plaintiff Prays the Court to decree that she be divorced from the bonds of Matrimony contracted as aforesaid with the Defendant; that she may have the care and custody of her said infant children, and that the Court will decree her such support and maintenance out of the property

of Defendant - and for such time
as may be just and proper,
and that ~~her name~~ she be restored
to her maiden name that of Mary
Frances Hoker and that the Court
will grant such other relief as
may be just & proper

Jos. J. Williams
Atty. for Plaintiff

Mary J. Kohler Plaintiff on oath
says that the foregoing petition
and the matters therein stated are
true that the Complaint is not
made out of levity or by collusion
fear or restraint between the
parties for the mere purpose of
being separated from each other
but - in sincerity & truth for the
purposes as stated in the Complaint

Sworn to and
Subscribed before
me this May 16th
1871

Mary J. Kohler
her
mark

W. S. Joyce Clerk of Ch.
By Chas. Strine & C. N.

no 6

Mary J. Kohler
vs
John Kohler

Petition for
Divorce

Filed May 16 1871

W. S. Boyce cl

By C. M. Van Hook

clerk issue process
Williams
for plt,

Mary Frances Kohler Plaintiff } In the Circuit
against } Court of Jefferson
John Kohler Defendant. } County Missouri

Plaintiff states that she was lawfully married to the Defendant in Saint Louis Missouri on the 25th day of April 1863 that she continued to live with the Defendant as his wife from and after the day and year last aforesaid untill the 14th day of May 1871 that during all that time she faithfully demeaned herself and performed all her duties as the wife of the Defendant, but that said Defendant wholly disregarding his duties as the husband of the Plaintiff has ever since the marriage aforesaid been guilty of habitual drunkenness, that is to say he has been addicted to habitual drunkenness for more than the space of one whole year since the marriage aforesaid and for more than one whole year next before the filing of this petition, and has offered such indignities to the plaintiff as to render her condition intolerable during the whole time that she lived with him as his wife as aforesaid in this that the Defendant habitually used harsh abusive and scandalous language to plaintiff in this that he on divers occasions called Plaintiff a bitch and a whore and otherwise abused her in a scandalous and inhuman

manner as well when at home with Defendant and in the hearing of their children as in company and in the presence of their neighbors for Plaintiff avers that Defendant habitually both in public and private addresses and calls her a bitch and when speaking of her to her children or to his neighbors speaks of her as that bitch, that he habitually compels his and plaintiff's children to call plaintiff's father an old son of a bitch that by the use of this and divers other abusive & scandalous language the Defendant has continually rendered her conditions intolerable that he has been guilty of all manner of barbarous and inhuman treatment of Plaintiff during said marriage in that he habitually indulges and has habitually indulged in the most violent abuse of Plaintiff addressing her habitually in a violent and abusive manner and plaintiff avers that Defendant publicly in the presence of a large concourse of people on the 4th of July 1870 violently abused her & called her a bitch & a whore in the hearing of said concourse of people at St. Johns Church in Jefferson Co. Mo. that in January 1870 he used language to her of the same import in presence of Mrs. Margaret Weber that he frequently called plaintiff a

where and stated to others that the children
born of Plaintiff & Defendant's marriage
were not his children which was done
for the purpose of bringing plaintiff into
public disgrace & contempt & to render her
condition intolerable & plaintiff says further
that since the marriage aforesaid Defendant
has on diverse occasions been guilty of such
cruel and barbarous treatment of Plaintiff
as to endanger Plaintiff's life, in that he on or
about the 27th of December 1870 intentionally
struck her a violent blow in the face with
a large shovel of burning charcoal and in
January 1871 he struck & kicked plaintiff
in violent and cruel manner & beat her violently
and drove her away from home about ten
o'clock at night barefooted through snow
& sleat and also he violently abused her
and struck her a violent blow in the face
about the 1st of May 1871 and finally drove
plaintiff from home on the 14th of May
1871. Plaintiff states that she has resided
in this State for more than one whole year
next before the filing of this petition, that
there were born of her marriage with Defendant
the following named children, Clara, a
daughter aged 7 years, also Anna; a daughter
aged 5 years, also George a son aged one
year, that Defendant is seized & possessed

of Real Estate and personal property of the value
of Three Thousand Dollars, and in consideration
of the premises Plaintiff prays the court to decree
that she be divorced from the bonds of matrimony
contracted as aforesaid with the Defendant; that
she may have the care and custody of her said
infant children, and that the court will decree
her such support and maintenance out of the
property of Defendant and for such time as may
be just and proper, and that she be restored to
her maiden name that of Mary Frances Hecker
and that the court will grant such other relief
as may be just & proper.

John Williams atty for Plaintiff
Mary D. Kohler Plaintiff on oath says that the foregoing petition and
the matters therein stated are true, that the complaint is not made
out of envy, only collusion fear or restraint between the parties
for the mere purpose of being separated from each other but
in sincerity & truth for the purposes as stated in the Complaint
Sworn to and Subscribed before Mary ^{her} D. Kohler
me this May 16 1871, W. J. Boyce Clerk.

By Wm. Horne Depy

A true Copy of the original petition now on file in my office.

Witness my hand and the seal of said Court
hereunto affixed at office this May 17 1871,

W. J. Boyce Clerk
By Wm. Horne Depy

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

John Kohler

if he be found in your County, that he 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 *third* Monday ~~after the fourth Monday~~ of *September* next, then and there to answer unto

Mary J Kohler

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

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *17th*

day of

May

A. D. 1871

W. S. Boyce

Clerk Circuit Court.

By

Thos. Horne

Deputy.

No 6
3444

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

September TERM, 1871.

Mary D. Mohler,

vs } Diverse

John Mohler,

(Original)
John Williams
Sheriff fee 50

I Returned this Writ not served the Within
named Defendant not being found in my county
John Williams Sheriff