

Tofferson County Circuit Court
Case Files - Civil
September 1871, No. 42

Davis, Martha Jane, by next friend
Black, Henry
vs.
Davis, Thomas H.

Divorce

Married 30 April 1865; desertion;
drunkenness

Box

28 Folder 49

Martha Jane Davis, Plaintiff } In the Circuit
Against } Court of Jefferson
Thomas H Davis, Defendant } County Missouri.
September Term
1871.

Martha Jane Davis Plaintiff, by her next friend, Henry Black, States that on the 30th day of April 1865, in the county of Jefferson, in the State of Missouri, she was lawfully married to the defendant; that plaintiff continued to live with defendant, as his wife, from and after the day and year aforesaid, until the 15th day of February A.D. 1870; that during all that time plaintiff faithfully demeaned herself, and discharged all her duties as the wife of the defendant, and at all times treated him with kindness and affection; but the said defendant, wholly disregarding his duties as the husband of the plaintiff, in this, that he, was guilty of such cruel and barbarous treatment of her, as to ~~permanently~~ endanger her life - that he offered such indignities as to make her condition intolerable, - that he deserted her, and left her in a destitute, and helpless condition - that he has been addicted to habitual drunkenness for the space of one year. Plaintiff further states that there was born of the marriage aforesaid one child of tender years, a female now aged

five years. Plaintiff further States that she has resided within this State one whole year next before the filing of this petition.

The plaintiff, therefore, prays to be divorced from the bonds of matrimony contracted as aforesaid with the defendant; that she may have the custody and care of her said infant child; that she may be restored to her maiden name, Martha Jane Black, and that the court will make such other and further orders and judgments, touching the premises as may be proper.

Signed on this ~~the~~ 23rd day of August

A.D. 1871.

Martha Jane Davis

Samuel H. Peppy, Atty for P. & D.

This affiant, the plaintiff, makes oath and says that the facts stated in the above petition are true according to the best of her knowledge and belief of the plaintiff, and that the complaint is not made out of levity or by collusion, fear or restraint, between the plaintiff and defendant, for the mere purpose of being separated from each other, but in sincerity and truth, for the causes mentioned in the petition.

Subscribed and

B. S. Peppy

Sworn to before me

Justice of the peace

this 23rd day of August

A.D. 1871

No 42

Martha Jane Davis
Against

Thomas H Davis

Petition for Divorce

Filed Aug 24 1871

W. S. Boyce Cl

By Chas. Horine Deper

Martha Jane Davis Plaintiff } In the Circuit Court of
against } Jefferson County, Missouri
Thomas M Davis Defendant } September Term A.D. 1871

Martha Jane Davis plaintiff, by her next friend Henry Black States that on the 30th day of April 1865, in the County of Jefferson in the State of Missouri she was lawfully married to the defendant, that plaintiff continued to live with defendant, as his wife, from and after the day and year aforesaid until the 15th day of February A.D. 1871 that during all that time plaintiff faithfully demeaned herself, and discharged all her duties as the wife of the defendant, and at all times treated him with kindness and affection; but the said defendant wholly disregarding his duties as the husband of the plaintiff in this, that he was guilty of such cruel and barbarous treatment of her as to endanger her life - that he offered such indignities as to make her condition intolerable that he deserted her, and left her in a destitute and helpless condition - that he has been addicted to habitual drunkenness for the space of one year. Plaintiff further states that there was born of the marriage aforesaid one child of tender years, a female now aged five years. Plaintiff further states that she has resided within this State one whole year next before the filing of this petition. The plaintiff therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with the defendant; that she may have the custody and care of her said infant child; that she may be restored to her maiden

name, Martha Jane Black and that the court
will make such other and further orders and
judgments ~~to~~ touching the premises as may
be proper. Signed on this 23rd day of August
A.D. 1871

Martha Jane Davis

Samuel A. Reppy atty for Plff

This affiant the plaintiff makes oath and says that
the facts stated in the above petition are true
according to the best of the knowledge and belief
of the plaintiff and that the complaint is not made
out of levity or by collusion fear or restraint between
the plaintiff and defendant for the mere purpose of
being separated from each other but in sincerity and
truth, for the causes mentioned in the petition
Subscribed and sworn to before me

This 23rd day of August A.D. 1871

B. S. Reppy Justice of the Peace

A true copy of the original petition

Witness, W. S. Boyce clerk of said
Circuit Court with the seal thereof
hereunto affixed at office this
Aug 24th 1871

W. S. Boyce clerk

By C. H. Horne Deputy

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

Thomas N Davis

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

Martha Jane Davis

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 *25th* day of *August* A. D. 187*7*

W. S. Boyce

Clerk Circuit Court.

By

Geo. Monroe

Deputy.

no 42

3878

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

September TERM, 1871.

Martha Jane Davis

vs
Thomas M Davis

"

For Sheriff
John Williams
Sheriff fee \$100
30 Aug Delivering

I Executed this Writ in Jefferson County Mo on
the 30th Day of August 1871 on Thomas
M Davis by Delivering to him a true copy
of Writ and Petition as furnished to me by the
Clerk

John Williams Sheriff