

Jefferson County Circuit Court
Case Files - CIVIL
March 1872 - #5

Box

29 Folder 29

Lee, Martha L.

VS

Lee, John

Divorce

inst. Genevieve;
Married May 1858;
abuse; four children;
Peter, Paul, Marcus, Mary

Martha L. Lee, - Plaintiff } In the Circuit
Against } Court of Jef=
John Lee, - Defendant } ferson County
} State of Missouri
} March Term 1872,

The Plaintiff states that some time in the month of May 1858, in the County of St. Genevieve, ~~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 month and year aforesaid, until the 10th day of September 1871, - that during all that time, the 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, that the Defendant, wholly disregarding his duties as the husband of the Plaintiff, soon after the marriage aforesaid, commenced abusing her personally. That he has repeatedly, without any cause or provocation, got into a violent rage, and struck and whipped her severely, inflicting on her head and face, serious wounds, and bruises, that he, on the 4th day of August 1871, flew into a passion, and struck Plaintiff in the face, and drew a rock and

threatened to knock her brains out. That he is continually in the habit of beating and abusing Plaintiff personally, and is a man of intolerable temper, so much so, that she fears continually that her life is in danger, The Plaintiff therefore charges that the Defendant has been guilty of such cruel and barbarous treatment towards her as to endanger her life. - Plaintiff also, charges that the Defendant has, since the marriage aforesaid, offered such indignities to her as to render her condition intolerable; in that, he orders her about the house as if she were a slave, - quarrels with and abuses her with the most opprobrious epithets, and strikes and whips her personally whenever he gets into a violent passion, and ^{which} occurs almost continually every week.

Plaintiff further states that there was born of the marriage aforesaid four children, all of tender years, the oldest being now about eleven years old, - three are boys, named Peter, Paul, and Marcus, - the other a girl, named Mary.

Plaintiff further states that she has resided within this State one whole year next before the filing of this petition. Plaintiff further states that the Defendant is seized and possessed of real and personal estate of the

value of about Twelve thousand dollars, and that she is wholly without the means of support, and for the prosecution of this suit.

The Plaintiff therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with Defendant; that she may ^{have} the care and custody of her said infant children; - that she may be restored to her maiden name, that of Martha L. Herod; - and that the Court will assign to her such support and maintenance, out of the property of said Defendant, as may from the nature and circumstances of the case be just and proper; and a reasonable sum during the pendency of this suit; - and to Compel the Defendant to give security for the same, and to make such further orders & judgments from time to time touching the ~~same~~ ^{premises} as may be just and proper.

Abner Green
Attorney for the Plaintiff

This Affiant, the Plaintiff, makes oath and says that the facts stated in the above Petition, are true, according to the best 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.

Sworn to and Subscribed before Martha L. See
me 8 Sept 11 7871

W. S. Boyce Clerk
By C. H. Stone DeR

No 8

In Jefferson Circuit Court
March Term 1872,

Martha L. Lee
vs,

John Lee

Petition for Divorce

Let summons issue
Alleen
for Plff

Filed Sept 11th 1871

W. S. Boyce clrk
By C. H. Haines DE/m

Martha L. Lee - Plaintiff } In the Circuit Court
Against } of Jefferson County State
John Lee - Defendant } of Missouri. March Term 1872

The Plaintiff States that sometime in the month of May 1858, in the County of St Genevieve 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 month and year aforesaid, until the 10th day of September 1871, that during all that time, the 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 that the Defendant, wholly disregarding his duties as the husband of the Plaintiff, soon after the marriage aforesaid, commenced abusing her personally, that he has repeatedly, without any cause or provocation, got into a violent rage, and struck and whipped her severely, inflicting on her head and face serious wounds and bruises, that he, on the 4th day of August, 1871 flew into a passion and struck Plaintiff in the face, and drew a rock and threatened to knock her brains out. That he is continually in the habit of beating and abusing Plaintiff personally and is a man of intolerable temper, so much so, that she

fears continually that her life is in danger, The Plaintiff therefor charges that the Defendant has been guilty of such cruel and barbarous treatment towards her as to endanger her life, - Plaintiff also charges that the Defendant, has since the marriage aforesaid, offered such indignities to her as to render her condition intolerable, in that, he orders her about the house as if she was a slave, quarrels with and abuses her with the most opprobrious epithets, and strikes and whips her personally, whenever he gets into a violent passion, and which occurs almost continually every week, Plaintiff further states that there was born of the marriage aforesaid four children, all of tender years, the oldest being now about eleven years old, three are boys, named Peter, Paul, and Marcus, the other a girl named Mary, Plaintiff further states that she has resided within this State one whole year next before the filing of this petition, Plaintiff further states that the Defendant is seized and possessed of real and personal Estate of the value of about twelve thousand dollars, and that she is wholly without ^{the} means of support, and for the prosecution of this suit,

The Plaintiff therefor prays to be divorced from the bonds of matrimony contracted

as aforesaid with Defendant, that she may have the care and custody of her said infant Children, that she may be restored to her maiden name, that of Martha L Herod, and that the Court will adjudge ^{to her} such support and maintenance, out of the property of said Defendant, as may from the nature and circumstances of the case be just and proper, and a reasonable sum during the pendency of this suit, and to compel the Defendant to give security for the same, and to make such further orders & judgments, from time to time, touching the premises as may be just and proper,

Abner Green
Attorney for the Plaintiff

This Affiant, the Plaintiff makes oath and says that the facts stated in the above petition, are true, according to the best 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

Done to and subscribed before me
this Sept 11th 1871
JMS Bayes clk
For Edward Green Deft

Martha L Lee

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



Witness my hand and the seal
of said Court hereto affixed at
office in Hillsboro this 29th day
of September A.D. 1871

W. S. Boyce C. C.

Martha L Lee Plaintiff } In the Circuit Court of Jefferson
against } County State of Missouri,
John Lee Defendant } March Term 1872.

The Plaintiff states that some time in the month of May 1858 in the County of St Genevieve 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 month and year aforesaid, until the 10th day of September 1871, that during all that time the 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, that the Defendant, wholly disregarding his duties as the husband of ^{the} Plaintiff soon after the marriage aforesaid, commenced abusing her personally, that he has repeatedly, without any cause or provocation, got into a violent rage and struck and whipped her severely, inflicting on her head and face serious wounds and bruises, that he on the 4th day of August 1871 flew into a passion and struck Plaintiff in the face, and drew a rock and threatened to knock her brains out - That he is continually in the habit of beating and abusing Plaintiff personally, and is a man of intolerable temper, so much so that she fears continually, that her life is in danger, The Plaintiff therefore charges that the defendant has been guilty of such cruel and barbarous treatment towards her as to endanger her life - Plaintiff also charges that the Defendant has since the marriage aforesaid, offered such indignities to her as to render her condition intolerable; in that he orders her about the house as if

she were a slave; quarrels with and abuses her with the most approbrious epithets and strikes and whips her personally whenever he gets into a violent passion and which occurs almost continually every week, Plaintiff further states that there was born of the marriage aforesaid four children, all of tender years, the oldest being now about eleven years old, three are boys, named Peter, Paul and Marcus, the other a girl named Mary, Plaintiff further states that she has resided within this State one whole year next before the filing of this petition, Plaintiff further states that the Defendant is seized and possessed of Real Estate and personal estate of the value of about Twelve Thousand dollars, and that she is wholly without the means of support, and for the prosecution of this suit.

The Plaintiff therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with Defendant; that she may have the care and custody of her said infant children - that she may be restored to her maiden name, that of Martha L Herod, - and that the Court will adjudge to her such support and maintenance out of the property aforesaid Defendant as may from the nature and circumstances of the case be just and proper, and a reasonable sum during the pendency of this suit, - and to compel the Defendant to give security for the same and to make such further orders & judgments from time to time touching the premises as may be just and proper. }

Abner Green
Attorney for the Plaintiff

This affiant, the Plaintiff, makes oath and says that the facts stated in the above petition are true according to the best knowledge and belief of the plaintiff, and that the complaint is not made out of levity or by collusion or 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

Sworn to and subscribed before
me Sept 11th 1871.

W. S. Joyce Clerk

By C. M. Hoine Deft

Martha L. Lee,

A true copy of the original petition

Witness. W. S. Joyce clerk of said court with
the seal thereof hereunto affixed at office this
October 23rd 1871

W. S. Joyce Clerk,

By C. M. Hoine Deft

Martha Lee Plaintiff } In the circuit court of Jefferson County
against } Missouri March Term 1872.
John Lee Defendant }

The plaintiff states that sometime in the month of May 1858 in the County of St Genevieve 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 month and year aforesaid, until the 10th day of September 1871. that during all that time the 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, that the Defendant wholly disregarding his duties as the husband after Plaintiff soon after the marriage aforesaid, commenced abusing her personally that he has repeatedly, without any cause or provocation, got into a violent rage, and struck and whipped her severely, inflicting on her head and face serious wounds and bruises, that he on the 4th day of August 1871 flew into a passion and struck Plaintiff in the face and drew a rock and threatened to knock her brains out, that he is continually in the habit of beating and abusing Plaintiff personally, and is a man of intolerable temper, so much so, that she fears continually that her life is in danger, The Plaintiff therefore charges that the defendant has been guilty of such cruel and barbarous treatment towards her as to endanger her life - Plaintiff also charges that the Defendant has, since the marriage aforesaid, offered such indignities to her as to render her condition intolerable; in that, he orders her about the

house as if she were a slave, - quarrels with and abuses her with the most approbrious epithets and strikes and whips her personally whenever he gets into a violent passion and which occurs almost continually every week,

Plaintiff further states that there was born of the marriage aforesaid four children, all of tender years, the oldest being now about eleven years old, - three are boys named Peter, Paul and Marcus, - the other a girl named Mary. Plaintiff further states that she has resided within this State one whole year next before the filing of this petition. Plaintiff further states that the Defendant is seized and possessed of Real and personal estate of the value of about twelve thousand dollars, and that she is wholly without the means of support and for the prosecution of this suit. The Plaintiff therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with defendant; that she may have the care and custody of her said infant children, that she may be restored to her maiden name, that of Martha L. Herod - and that the court will adjudge to her such support and maintenance out of the property of said defendant, as may from the nature and circumstances of the case be just and proper, - and a reasonable sum during the pendency of this suit, - and to compel the defendant to give security for the same, and to make such further orders & judgments from time to time touching the premises as may be just and proper,

Abner Green

Attorney for the plaintiff

This affiant the plaintiff makes oath and says that the facts stated in the above petition, are true according to the best 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.

Shown to and subscribed before Martha L. Lee
one Sept 11th 1871.

W. S. Boyce clerk

By C. W. Horne Depy

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 October 23rd 1871.

W. S. Boyce clerk.

By C. W. 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 Lee

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 *March* next, then and there to answer unto

Martha L Lee

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 *29th* day of *September* A. D. 1871

W. S. Boyce

Clerk Circuit Court.

By

Deputy.

No. 8.

3447

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

March TERM, 1872.

Martha Lee

vs

John Lee

Per Sheriff

John Williams Sheriff \$1.00

Executed this Writ in Jefferson County Mo on
the 15th Day of November 1871 on John Lee
by Delivering to him a true copy of this Writ
and Petition as furnished to me by the
clerk

John Williams Sheriff

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 Lee

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 *March* next, then and there to answer unto

Martha L Lee

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 *23rd* day of *October* A. D. 18*71*

W S Boyce Clerk Circuit Court.

By

Chas Harine Deputy.

3447
~~3595~~

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

March TERM, 1872.

Martha L Lee.

vs

John Lee

3447

for Sheriff

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 Lee

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 *March* next, then and there to answer unto

Martha L Lee

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 *23rd*

day of *October* A. D. 1871

W S Boyce Clerk Circuit Court.

By

Chas Norine

Deputy.

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

March TERM, 1872.

Martha L. Lee,

vs
John Lee,

Her Defh.