

Jefferson County Circuit Court

Box 29 Folder 39

Casa Filles - Civil
March 1872, No. 14

Hiller, Francisca

vs

Hiller, Raphael

Divorce

Married 24 September 1871;
abuse

Francisca Miller, plff,

vs.

Raphael Miller, defendant.

In the Circuit Court
of Jefferson County,
Mo., March Term 1872,

Plaintiff states, that on or about the twenty fourth day of September A.D. 1871, in the County of Jefferson, State of Missouri, she was lawfully married to the defendant; that plaintiff and defendant continued to live together as husband and wife from and after the day and year aforesaid, until ~~the~~ about the 13th day of November A.D. 1871.; that during all that time plaintiff faithfully demeaned herself, and discharged all ~~her~~ duties as the wife of defendant, and at all times treated him with kindness and affection; but the defendant, wholly disregarding his duties as the husband of the plaintiff, has offered such indignities to the plaintiff, as render her, the plaintiff's, condition intolerable, which indignities consist in the following facts:

About four weeks after the marriage aforesaid, while plaintiff and defendant were living together at the County aforesaid, said defendant, without cause or provocation being given him by plaintiff, struck the plaintiff in her face about 5 or six times, with his fist in such a manner, that the blood ran freely from her face; and in consequence of such striking and ill-treatment, plaintiff was confined to bed for three days;

Plaintiff states as further matter of such indignities, that on or about the 12th day of November A.D. 1871

defendant, without cause or provocation, gave him by plaintiff, again struck plaintiff about three times in her face with his fist, took hold of her by her throat, threatening, to choke her; and taking hold of her hair, knocked her head against a chimney in the house, they were living in; and threatening also, that he, defendant, would burn house and fences, and everything, that was in the house and fences. All these indignities were offered plaintiff in the morning of about the 12th of November 1871. In the afternoon of the same day defendant again, without cause or provocation, struck plaintiff once in her face with his fist, and attempted, to strike her with a chair, and would have done so, had he not been prevented by others; at the same time defendant ~~has~~ threatened, to kill plaintiff, and to burn house fences and wheat; The next day, the 13th day of November 1871. Defendant again threatened, to kill plaintiff, and burn her house and fences and everything in them, if ever he should get hold of plaintiff; Plaintiff further states, that on said 13th day of November 1871. Defendant left her without cause or provocation, saying that he would never return to her, and would not recognize her as his wife.

Plaintiff also states, that defendant, by maltreating and threatening her, as aforesaid, has become guilty of such cruel or barbarous treatment, as

To endanger her life,

Plaintiff further states, that she has resided within the State of Missouri, one whole year next before the filing of this petition.

Plaintiff further states, that, when she married defendant, she was a widow of Lucas Bauer, deceased; that defendant brought no property, real or personal or mixed, into the marriage, except about twenty dollars worth of beds and appurtenances; that she brought into the marriage about three hundred dollars worth of personal property, and the dower in the land, descended from her first husband, Lucas Bauer.

The plaintiff, therefore, prays, to be divorced from the bonds of matrimony, contracted, as aforesaid, with the defendant, and that her ~~name~~ ^{name} ~~of~~ her first husband, namely Francisco Bauer, be restored to her, also, that the property, which she had at the time of her marriage with defendant, and in the possession of which she still is, be decreed to her, for her support and maintenance, and plaintiff asks such other orders and judgments, touching the premises, as may be proper.

Francisca Keller,
Plaintiff, by Henry F. Ahl-
ers, her Attorney.

State of Missouri,
County of Jefferson } ss. This affidavit, the plaintiff,
maker 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 envy
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 cause mentioned
in the petition;

Sworn to and sub-
scribed before me
this 5th day of December
1871.

Subscribed the follow

W.D. Boyce clerk Cir Ct.
By C. H. Kearns Depr

In the Circuit Court
of Jefferson County, Mo
March Term 1872

No 14

Francisca Keller,
vs
Raphael Keller, deft.

Petition
for divorce.

Filed Dec 5th 1871

W S Bowers clerk
By C. H. Morgan Depy.

for deft

Francisca Miller pl^{ff}. } In the Circuit Court of,
vs } Jefferson County, Mo.
Raphael Miller defendant } March Term 1872.

Plaintiff states, that on or about the twenty fourth day of September AD 1871, in the County of Jefferson State of Missouri, she was lawfully married to the defendant; that plaintiff and defendant continued to live together as husband and wife from and after the day and year aforesaid until about the 18th day of November AD 1871. That during all that time plaintiff faithfully demeaned herself, and discharged all her duties as the wife of defendant, and at all times treated him with kindness and affection, but the defendant wholly disregarding his duties as the husband of the plaintiff, has offered such indignities to the plaintiff, as render her, the plaintiffs condition intolerable, which indignities consist in the following facts: About four weeks after the marriage aforesaid while plaintiff and defendant were living together at the County aforesaid, said defendant, without cause or provocation being given him by plaintiff, struck the plaintiff in her face about five times, with his fist in such a manner that the blood ran freely from her face, and in consequence of such striking and ill-treatment, plaintiff was confined to bed for three days. Plaintiff states as further matter of such indignities, that on or about the 12th day of November AD 1871, defendant without cause or provocation given him by Plaintiff, again struck Plaintiff about three times in her face with his fist, took hold of her by her throat, threatening to choke her, and taking hold of her hair

Knocked her head against a window in the house they were living in, and threatening also, that her defendant, would burn her house and fences and everything that was in the house and fences. All these indignities were offered plaintiff in the morning of about the 12th of November 1871. In the afternoon of the same day defendant again, without cause or provocation, struck plaintiff once in her face with his fist and attempted to strike her with a chair and would have done so, had he not ~~been~~ been prevented by others, at the same time defendant threatened to kill plaintiff, and to burn house, fences and wheat. The next day the 13th day of November AD 1871. Defendant again threatened to kill plaintiff and burn her house and fences and everything in them, if ever he should get hold of plaintiff. Plaintiff further states that on said 13th day of November 1871 defendant left her without cause or provocation saying that he would never return to her, and would not recognize her as his wife. Plaintiff also states that defendant by maltreating and threatening her as aforesaid has become guilty of such cruel or barbarous treatment as to endanger her life. Plaintiff further states that she has resided within the State of Illinois one whole year next before the filing of this petition. Plaintiff further states, that when she married defendant she was a widow of Lucas Bauer, deceased. That Defendant brought no property, real or personal or mixed into the marriage, except about twenty dollars worth of beds and appurtenances, that she brought into the marriage about three hundred dollars worth of personal property, and the dower in the land, descended from

her first husband Lucas Bauer. The Plaintiff therefore prays to be divorced from the bonds of matrimony, contracted as aforesaid with the defendant and that the name from her first husband, namely, Francisca Bauer be restored to her, also that the property which she had at the time of her marriage with defendant and in the possession of which she still is be decreed to her for her support and maintenance, and plaintiff asks such other orders and judgments touching the premises as may be proper.

Francisca Miller Plaintiff
By Henry D. Atkins her Attorney.

State of Missouri }
County of Jefferson } This affiant the Plaintiff makes oath and says that the facts 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.

Given to and subscribed before

me this 5th day of December A.D. 1871.

Francisca Miller

W. S. Boyce Clerk Cir. Ct.
By Chas. Horne Depy.

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

Witness W. S. Boyce clerk of said Circuit Court with the seal thereof hereunto affixed at office this 5th day of December A.D. 1871

W. S. Boyce Clerk W.
By Chas. Horne Depy.

Francisca Miller Plaintiff. } In the Circuit Court of
no } Jefferson County Mo.
Raphael Miller Defendant. } March Term 1872.

Plaintiff states, that on or about the twenty fourth day of September AD 1871, in the County of Jefferson, State of Missouri, she was lawfully married to the defendant; that plaintiff and defendant continued to live together as husband and wife from and after the day and year aforesaid, until about the 13th day of November AD 1871; that during all that time plaintiff faithfully demeaned herself, and discharged all her duties as the wife of defendant, and at all times treated him with kindness and affection; but the defendant, wholly disregarding his duties as the husband of the Plaintiff, has offered such indignities to the plaintiff, as render her, the plaintiff's, condition intolerable, which indignities consist in the following facts: About four weeks after the marriage aforesaid while plaintiff and defendant were living together at the County aforesaid, said defendant, without cause or provocation being given him by plaintiff, struck the plaintiff in her face about 5 or six times, with his fist in such a manner, that the blood ran freely from her face; and in consequence of such striking and ill-treatment, plaintiff was confined to bed for three days. Plaintiff states as further matter of such indignities, that on or about the 12th day of November AD 1871, defendant, without cause or provocation, given him by plaintiff, again struck plaintiff about three times in her face with his fist, took hold of her

by her throat, threatening to choke her; and taking hold of her hair, knocked her head against a window in the house, they were living in; and threatening also, that her defendant, would burn house and fences and everything that was in the house and fences. All these indignities were offered plaintiff in the morning of about the 12th of November 1871. In the afternoon of the same day defendant again, without cause or provocation, struck plaintiff once in her face with his fist and attempted to strike her with a chair and would have done so, had he not been prevented by others, at the same time defendant threatened to kill plaintiff, and to burn house, fences and wheat; The next day, the 13th day of November A.D. 1871, defendant again threatened to kill plaintiff, and burn her house, and fences and everything in them, if ever he should get hold of Plaintiff; Plaintiff further states that on said 13th day of November 1871, defendant left her without cause or provocation, saying that he would never return to her, and would not recognize her as his wife. Plaintiff also states, that defendant, by maltreating and threatening her, as aforesaid, has become guilty of such cruel or barbarous treatment as to endanger her life. Plaintiff further states, that she has resided within the State of Mississippi one whole year next before the filing of this petition. Plaintiff further states, that when she married defendant, she was a widow of Lucas Bauer, deceased; That Defendant brought no property, real or personal or mixed into the marriage, except about twenty dollars worth

of beds and appurtenances; that she brought into the marriage about three hundred dollars worth of personal property, and the dower in the land, descended from her first husband Lucas Banes. The plaintiff therefore prays to be divorced from the bonds of matrimony, contracted as aforesaid, with the defendant, and that the name from her first husband, namely, Francisca Banes, be restored to her also that the property which she had at the time of her marriage with defendant, and in the possession of which she still is, be decreed to her, for her support and maintenance, and plaintiff asks such other orders and judgments touching the premises as may be proper.

Francisca Miller
Plaintiff by Henry F. Sellers her attorney

State of Illinois }
County of Jefferson }

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.

Given to and Subscribed
before me this 5th day
of December A.D. 1871.

H. F. Royce Cler. Cir. Ct.
By Chas. Horne Dep't.

Francisca Miller

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

Witness W. S. Boyce clerk of said Circuit
Court with the seal thereof hereunto
affixed at office this 8th day of
December A.D. 1871.

W. S. Boyce clerk.
By C. H. Moore 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 *Raphael Hilley*

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

Francisca Hilley

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 *Twelfth* day of *December* A. D. 1871

W. S. Boyce Clerk Circuit Court.

By *Chas. Kearney* Deputy.

No 14

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

March TERM, 1872.

Francisco Miller

vs
Raphael Miller

{original}

Mar 21

71 B- 167

See me interview

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 *Raphael Miller*

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

Francisca Miller

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 *Fifth* day of *December* A. D. 187*7*

W. S. Boyce

Clerk Circuit Court.

By

Chas. Horner

Deputy.

no 14

35-47

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

March TERM, 1872.

Francisco Miller

vs

Raphael Miller

Copy

Francisca Miller, petff. } On the Circuit Court
vs. } of Jefferson County,
Raphael Miller, defd. } Mo.
March Term 1872.

Now comes the plaintiff in the above named case, and being first duly sworn upon her oath, states, that Raphael Miller, the defendant in the above case, is a non-resident of the State of Missouri, and that he has concealed himself, so that the ordinary process of law cannot be served upon him.

Plaintiff therefore asks, that an order of publication be issued against said defendant, sworn to and subscribed before me this 10th day of January A.D. 1872.

Sworn to & subscribed

W.S. Boyce, Clerk
By Wm. H. H. Dept

In the Jefferson Circuit
Court,

March Term 1872

Francisca Keller,
Def't.

vs.

Raphael Keller, def't.

Affidavit
for order of publi-
cation.

Filed January 10th 1872,
W. S. Pryce clk.
J. M. Horine Dep't.

Order of Publication.

IN vacation, in the Circuit Court of Jefferson county, Missouri, January 10th, 1872.

Francisca Hiller, vs, Raphael Miller, for divorce

Be it known, that on the fifth day of December, A. D. 1871, the above named plaintiff filed in the office of the Clerk of the Circuit Court, her petition, and now in vacation on the tenth day of January, A. D. 1872, and files her affidavit for publication against said Raphael Hiller, stating therein that the said Raphael Miller is a non-resident of the State of Missouri. It is thereupon ordered by the undersigned Clerk, aforesaid, in vacation that said defendant Raphael Hiller be notified by publication that an action has been commenced against him by petition in the Circuit Court of Jefferson county, in the State of Missouri, the object and general nature of which is to obtain a decree for divorce from the bonds of matrimony now existing between said plaintiff and defendant, on the ground of maltreatment, and unless he be and appear at the next term of said court, to be holden at the Court House in Hillsboro, within the county of Jefferson, on the 18th day of March, A. D. 1872, and on or before the 6th day thereof, answer or demur to said petition, the same will be taken as confessed and judgment rendered accordingly. It is further ordered that a copy hereof be published in the Jefferson Democrat, a newspaper printed and published in said county of Jefferson, State of Missouri, for four weeks successively, the last insertion to be at least four weeks before the first day of said next term.

{ SEAL } A true copy from the record. Witness W. S. Boyce, Clerk of said Circuit Court with the seal thereof hereunto affixed at office this January 18th, A. D. 1872.

W. S. BOYCE, Clerk.

By C. The' Horine, Dep'y.

STATE OF MISSOURI, County of Jefferson.

Be it Remembered, That on this 4th day of March 1872, before the undersigned Clerk of the Circuit Court of Jefferson County, Mo., came R. W. McMULLIN, who, being by me duly sworn, says the annexed advertisement was published in the Jefferson Democrat, a newspaper, printed and published in the County of Jefferson, State of Missouri, of which he is printer, for 2 weeks, the first insertion being on the 12 day of Jan, 1872, and the last insertion on the 2 day of Feb 1872, as follows, to-wit:

Order of Publication
J. ED. WALKER,
Hillsboro, Mo.
19 21 17

In No. 1,	Jan 12,	1872
In No. 2,	" 19,	1872
In No. 3,	" 26,	1872
In No. 4,	Feb 2,	1872
In No. 5,	Feb 9,	1872

Sworn to and subscribed before me this day of Feb 1872.

Printer's Fee, 10.00. Received Payment.

10.25
10.25
10.25