

Jefferson County Circuit Court
Case Files-Civil

May 1873

Akes, William

vs.

Akes, Betsy

Divorce

Married 1862; desertion; defendant
counter claimed abuse, non-support, and
adultery

Box 31 Folders 12

William Akers Plaintiff. } In the Circuit Court
against } of Jefferson County
Betsey Akers Defendant. } Missouri May Term
A.D. 1873

Plaintiff states that on the day
of A.D. 1862 in the County
of Jefferson, in the State of Missouri,
he was legally married to the
defendant; that Plaintiff continued
to live with defendant, as her
husband, from and after the day
and year aforesaid, until about the
12th day April A.D. 1871 last past;
that during all that time plaintiff
faithfully demeaned himself, and
discharged all his duties as the
husband of defendant, and at
all times treated ~~her~~ her with
kindness and affection; but de-
fendant, wholly disregarding her
duties as the wife of the plaintiff
absented herself, from Plaintiff
without a reasonable cause
~~for more~~ since about the 12th
day of April A.D. 1871,

The plaintiff, therefore, prays to be
divorced from the bonds of matrimony
contracted as aforesaid with the
defendant and for such other
orders touching the premises as
may be proper

John L. Thomas & Bro,
Attys for Plaintiff

State of Missouri }
County of Jefferson } ss.

This affiant, the plaintiff,
makes oath and says that the
facts stated in the above petition
are true according to the best knowl-
edge 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, in sincerity and truth,
for the cause mentioned in the
petition

Subscribed & sworn
to before me this
31st March. 1873

A. H. Thomas
Notary Public

William A. Moser
his Atty

no 10

William Allen

against

Betsy Allen

Petition for

divorce

Filed Mar 31st 1873

W. L. Boyce Esq

By The Honorable

Chf. please issue

to Sheriff of Jefferson

Co. Mo

John L. Thompson, Wm.

William Stokes plaintiff
against
Betsey Stokes defendant.

In the Circuit Court
of Jefferson County
Missouri.

May Term A.D. 1873

Plaintiff states that on the day of
A.D. 1862 in the County of Jefferson in the
State of Missouri, he was legally married to
the defendant; that Plaintiff continued
to live with defendant, as her husband, from
and after the day and year aforesaid, until
about the 1st day of April A.D. 1871 last past,
that during all that time plaintiff faithfully
demeaned himself, and discharged all his
duties as the husband of defendant, and at
all times treated her with her kindness and
affection; but defendant wholly disregarding
her duties as the wife of the plaintiff absented
herself, from plaintiff without a reasonable
cause since about the 1st day of April A.D. 1871.
The Plaintiff therefore, prays to be divorced
from the bonds of matrimony contracted
as aforesaid with the defendant and for
such other orders touching the premises as
may be proper.

John S. Thomas & Co.
Attys for Plaintiff.

State of Missouri }
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, in
sincerity and truth for the cause men-
tioned in the petition.

Subscribed and sworn to William ^{his} Akers
before me this 31st March 1873

W. St. H. Thomas }
Notary Public.

A true copy of the original petition
Witness W. S. Boyce clerk of said court
with the seal thereof hereunto affixed
at office March 31st 1873.

W. S. Boyce Clerk
By C. H. Horne Deft

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

Petsey Akers

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 *Second* Monday after the fourth Monday of *May* next, then and there to answer unto

William Akers

upon

his

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 af-
fixed, at office in Hillsboro, this *31st*

day of *March* A. D. 18*73*

W. S. Boyce Clerk Circuit Court.

By

C. H. Horine Deputy.

I Execute the within writ at the County of Jefferson Mo
on Return Alkes by Delivering her a true copy of the writ
and Petition as furnished me by the Clerk of said
Court on the 24th day of April 1873

J. B. Moss Sheriff

3460

RETURNABLE
TO
JEFFERSON CIRCUIT COURT.

May TERM, 1873.

William Alkes
vs
Betsey Alkes

original

Shrift fee 100

William Akes, - Plaintiff } In the Circuit Court
 Against } of Jefferson County
 Betsey Akes, - Defendant } Missouri,
 May Term 1873,
 State of Missouri }
 County of Jefferson } ss.

This day personally appeared
 before the undersigned a Justice of the Peace
 within and for the County aforesaid, Betsey Akes,
 the above named Defendant, who being by me,
 duly sworn, deposes and says, that she has
 a good and meritorious defence to make to
 the above entitled Cause; that she intended
 to attend the return term of said case, on the
 second Monday of May 1873, for the purpose
 of employing a Lawyer to defend the same,
 but that a few days before the commence-
 ment of said Term, she was taken very sick
 and was confined to her bed with sick-
 ness, and remained so, during said Term
 that she was therefore by reason of such sick-
 ness unable to attend the said May Term
 of said Circuit Court, to employ a Lawyer
 to defend against said suit, or to consult
 an Attorney for the purpose of defending
 said suit. - This Affiant further states that
 she expects to be able to defend said Cause,
 by proving that she is the innocent and
 injured party, - that the allegation in said
 Petition, - that she "absented herself from Plain-
 tiff without a reasonable cause about the first

day of April 1871," is not true; on the contrary, she believes she can prove that the Plaintiff, about the 5th day of April 1871, actually drove and compelled this Affiant to leave his home, - that Plaintiff abused this affiant, by cursing, swearing, and damning her, and threatening her with personal violence, - and, by ordering her to leave home, - and swearing he would never live with her again. And that, by reason of all this conduct of Plaintiff, in abusing, and threatening Defendant with personal violence, - calling her indecent and improper names, and refusing to allow her to remain ⁱⁿ his house in peace, and in fact, ordering her to leave, she did leave him about that time, for her own personal safety and comfort. - Affiant expects to prove further that Plaintiff had before this, refused to provide for Defendant, - that at the time, and for a long time before the time of leaving him as aforesaid, she procured nearly all of the provisions for the support of herself and child, and the Plaintiff, - while he was investing all his own earnings in real property, which he now seeks to retain ^{for} himself, and to turn Defendant off, without any thing.

She expects further to prove that Plaintiff has committed adultery since the marriage aforesaid, and ^{that} the Defendant is the innocent and injured party, and is entitled to a divorce against

Plaintiff. - This Affiant therefore states ^{that} she has used due diligence in endeavoring to defend against Plaintiff's suit, - that, by reason of her sickness as aforesaid, she was not only unable to attend Court, to get Counsel, and make her appearance, to said Cause, - but was so disconcerted in mind as to be unable to give the subject proper consideration. She therefore states that she has a good and meritorious defense against the above cause of action, as shown by the foregoing allegations, - all of which are true, and she believes she can prove them. She therefore asks the Court to set aside the judgment by default entered in the above cause at the May Term 1873, and to permit this Affiant to file her Answer thereto and to defend the same.

Sworn to & subscribed before me July 25th 1873

Elizabeth A. Apes
mark
attest Geo. H. Mearns

C. W. Christie

Justice of the Peace

no 76

In Chancery Court
Jefferson County

William A. Mos

vs.
Betsy A. Mos

Affidavit to Detain
Defendant, &c

Filed Sept 11 1873
W. S. Boyce clk

Mrs Akers Plaintiff } In the Circuit Court
against } of Jefferson Co. Mo.
Betsey Akers Deft. } Sept. Term 1873

This day personally appeared before
the undersigned Clerk, T. B. Mofs
who being duly sworn says that
when he served the papers on the
Defendant, ^{in the above cause} she said they might
go to the devil that she did not
intend to have anything to do
with it

Subscribed and sworn to before T. B. Mofs
me Sept 16 1873

W. S. Boyce Clerk

By C. H. Merine Depr.

Wm. A. Keo

205

Betsy A. Keo

Counter affidavits

Filed Sept 16 1883
W. S. Boyce clk

William Akers Plaintiff } In the circuit
against } Court of Jefferson
Betsey Akers Defendant } County Mo. Sep. Term 73

This day personally appeared before me the undersigned Justice of the peace Dr. Louis James who being duly sworn deposes and says that he is a regularly practicing physician and lives at Victoria Jefferson Co. Mo. and is well acquainted with Betsey Akers, I was called to visit her professionally on or about the 3rd day of April 1873 & continued to wait on her till the 19th day of April 1873 at which time she was sufficiently recovered to ~~be~~ not to need further attention from me, and ~~on~~ that on the second week of May last she was ~~unable~~ ~~and~~ able to go about & James, M.D.

Subscribed and Sworn to

Before me a Justice of the Peace
of Jefferson County Mo

This September 13th 1873

C. W. Christopher J. P.

Wm. A. Heo

vs
Betty A. Heo

Filed Sept 16 1873

W. D. Boyce Clerk

William Akes, - Plaintiff } In the Circuit
 Against } Court of Jef-
 Betsy Akes, - Defendant } ferson County
 } Missouri
 } Sep. Term 1873

The Defendant, by leave of the
 Court first heard & obtained leave and
 for Answer to the Plaintiff's petition
 admits that she and Plaintiff were
 married in the year 1862, but she
 denies that from ^{that} day until the first
 day of April 1871, the Plaintiff faith-
 fully demeaned himself and discharged
 all his duties as the husband of ~~Plaintiff~~^{Defendant}
~~Plaintiff~~ and treated her at all times, with
 kindness and affection. And Defend-
 ant denies ^{that} she, in disregard of her duty,
 as the wife of Plaintiff, absented her-
 self from Plaintiff without a reason-
 able cause, since, about the 1st day of
 April 1871, — And Defendant denies
 that Plaintiff is entitled to be divorced
 from the bonds of matrimony contracted
 as aforesaid with the Defendant, and de-
 nies that he is entitled to any judg-
 ment for divorce or any orders of
 Court touching such premises,
 And for further Answer, by way

of Cross Bill, the Defendant states that the said Plaintiff, about the first day of April 1871, actually drove the Defendant away from his residence, by abusing her personally, by cursing and damning her, and threatening to inflict on her severe personal violence, that is, to whip and beat her severely if she did not leave him, and ordering her to leave home, And Defendant avers that the Plaintiff did about that time, curse and abuse her, and call her all sorts of indecent names, and order her to leave him, or else he would beat her and make it too hot for her to stay there, - And Defendant states that Plaintiff neglected to provide for her while she stayed with him, and that he ^{about the 1st day of April 1871} finally by his threats of personal violence, drove her away from home, And Defendant charges that the Plaintiff has committed adultery since the marriage aforesaid; and that he has treated her with such indignities since said marriage as to render her condition intolerable, - by his personal abuse as above stated, And the Defendant further charges that the Plaintiff since the marriage aforesaid has been guilty of such cruel and barbarous

treatment towards her as to endanger her life, - and Defendant charges that Plaintiff has absented himself from Defendant without a reasonable cause, for the space of one year and upwards prior to the bringing of this suit, - Defendant states that the Plaintiff is possessed of real and personal property of the value of one thousand dollars, and that she is without any means of support, - The Defendant, for the causes herein above stated, prays to be divorced from the bonds of matrimony contracted as aforesaid with the Plaintiff; and that the Court will adjudge to her such support and maintenance out of the property of the Plaintiff, as may be just and reasonable, - and that she may have the care and custody of her infant child, - a girl named Rebecca, and that the Court will make such orders, judgments, touching the premises, as may be just and proper, - Abner Green

3 Attorney for Defendant

This Affiant, the Defendant, makes oath and says that the facts stated in the above Answer are true according to the best knowledge and belief of the Defendant, and that the complaint is not made out of levity or by collusion, fear or

restraints, 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 Answer.

Betsy A. Kes
mark

Subscribed and
Sworn to Before me a Justice of the
Peace for Jefferson County
this Sep 19th 1873 C. W. Christopher
J. P.

In Jefferson Circuit
Court - Sep. Term 1873

William A. Kes

vs.
Betsy A. Kes

Answer

Filed Sept 20 1873
W. S. Boyce clk

William Aker, Plaintiff } In the Jefferson
v } Circuit Court
Betsy Aker Defendant }

Now at this day comes said Plaintiff
and for amended petition herein
states that he and Defendant were
on the 10th day of May 1862
lawfully married in the County of
Jefferson, State of Missouri: that he
continued to live with Defendant
as her husband from the time
of their marriage until about the
first day of April 1871 - that during
all that time he treated her with
kindness and affection and
faithfully demeaned himself
as her husband and discharged
all his duties as such, but Defend-
ant wholly disregarding her
duties as the wife of Plaintiff on
or about the 1st day of April 1871 abandon-
ed Plaintiff and without any reason-
able or just excuse and from
that time to this has willfully and
obstinately refused to cohabit
with Plaintiff as his wife or to permit
him to cohabit with her as his
husband ~~as by~~ and that during
that time she offered such indigni-

his to his person as to render his condition intolerable in this - that is say - in obstinately and wilfully refusing to Cohabit with him or his wife or to permit him to Cohabit with her as her husband and by cursing and abusing him and otherwise illtreating him Plaintiff states that Defendant continued to absent herself from his bed and to refuse to Cohabit with him or his wife or to permit him to Cohabit with her or her husband against his will and Consent during the time from April 1st 1871 to the time she abandoned his house, in month of January 1873. ^{resided one year & 10 months before the} Plaintiff further states that he ^{ever since the beginning of this suit} ~~has ever since the beginning of this suit~~ ^{therefore} Plaintiff prays to be divorced from the bonds of matrimony contracted as aforesaid with the Defendant.

John L. Hudson Pro
Attys for Plaintiff

Wm. Aker makes oath and says that the facts stated in the above petition are true according to his best knowledge and belief and that the Complaint is not made out of levity or by collusion, fraud or restraint between

Plaintiff
and Defendant for the mere pur-
pose of being separated from each
other but the equity and truth
for the causes mentioned in
the Complaint.

Sworn to & subscribed }
before me Oct. 14th 1873 }

William A. Kes
his
mark

C. W. Christopher a Justice
of the Peace for
Jefferson County Mo

Wm. Aker

is

Petry Aker

Amended Petition.

Filed Oct. 13th 1873

W. L. Boyce clerk

By C. H. Moore & Deft

County of Jefferson,

The State of Missouri.

To *Charles Vinyard, J. B. Coffin*
vs John Butler

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the *15th day of January* at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said Court, wherein

Wm Akers is
Plaintiff, and *Betsy Akers is*

Defendant, on the part of *Sept.* and herein you are in no wise to fail.

WITNESS, W. S. BOYCE, Clerk of our said Court, with
the seal thereof hereto affixed, at office, this *11* day
of *December*, A. D. 187*3*

W. S. Boyce
Clerk.

By C. H. Harmon Sept 15

I executed the within at the County of Jeff
Mo on 21st May 1834 J. B. Coffin and John
Bulls not found in any County the 21st day
of Dec 1834

J. B. Coffin

Wm akes
no
Betsy akes

For Deft
Charles Wingard
J. B. Coffin
John Bulls

Shirff Ju 125

County of Jefferson,

The State of Missouri.

To George Patton & A. J. Miller

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 15th day of January 1874

at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said Court, wherein

The State's Complaint is

Plaintiff, and Berry Akes is

Defendant, on the part of Sept,

and herein you are in no wise to fail.

WITNESS, W. S. BOYCE, Clerk of our said Court, with
the seal thereof hereto affixed, at office, this 31st day
of December, A. D. 1873

W. S. Boyce
Clerk,

By Chas. H. Hovine Sept

was akes
^{no}
Peters, akes

for Deft.
George Patton
a J. Miller

Thuff for 100

A Executed the within of the county
of Deft. Pro on Geo. Patton & A. B. Miller
on the 8 day of Dec 1824 by Reading the
Law to ~~him~~ them

J. B. Pro

Sheriff

County of Jefferson,

The State of Missouri.

W

Alex Callaghan

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the Fourth

Perchance

.....at Hillsboro, then and there to testify and the truth to say in a certain
matter of controversy, now pending in our said Court, wherein *Unakes is placed*

Wm. A. Kees is ~~father~~

Plaintiff, and *Betsy Arco* is

Defendant, on the part of *De Pk*

...and herein you are in no wise to fail.

WITNESS, W. S. BOYCE, Clerk of our said Court, with
the seal thereof hereto affixed, at office, this *16th* day
of *January*, A. D. 1874.

W. L. Bayard Clerk.

Clerk.

Dr. C. McCombe Depos.

akes
vs
akes

Alec. Callahan

County of Jefferson,

The State of Missouri.

To

W R Bates, A Mitchell

v James Patton

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 15th day of January 1874 at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said Court, wherein W R Bates is

Plaintiff, and

Bates akes co'

Defendant, on the part of

Plff

and herein you are in no wise to fail.

WITNESS, W. S. BOYCE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 6 day of January, A. D. 1874.

W S Boyce Clerk.

By C H Hume Depy,

I deliver the within at the court of Shff and
on A. Mitchell James Patton by Reading the
same to them on the 2 day of Jan 1854
and H. P. Bates not present in my co -

Y. P. B. Prop
Shff

akes
no
akes

Shff

N. P. Bates
A. Mitchell
James Patton

Sherriff Ju 125

County of Jefferson,

The State of Missouri.

To James Patton, B. Minery C. H. S. Vinyard

You are Hereby Commanded, That setting aside all manner of excuse and delay, you appear before our Circuit Court for the County aforesaid, on the 18th day of January 1874 at Hillsboro, then and there to testify and the truth to say in a certain matter of controversy, now pending in our said Court, wherein Wm. Akers is

Plaintiff, and Betsey Akers is

Defendant, on the part of pff and herein you are in no wise to fail.

Witness, W. S. BOYCE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this 18th day of January, A. D. 1874.

W. S. Boyce Clerk.
By C. H. S. Vinyard

I have been the witness at the country of 217 No
on San Antonio St. Henry & Mr. J. Burghard
by, reaching the same on the 13. May of Jan 1854

Y. B. No. 10

akes
v
akes

SUBPOENA FOR WITNESS. - (J. P.)

[Wagner's Statutes, Page 827, Sections, 1 and 2.]

The State of Missouri, *In Lewis's favor & James Lusk*
and Mr. Coffey

You are hereby Commanded to be and appear personally
 before *me* *the Circuit Court*, *Justice of the Peace*
 within and for the Township of *Central*, in the County of *Jefferson*
 on the *16th* day of *January* A. D. 187*4*, at the hour of ten
 o'clock in the forenoon of that day, at my office in the Township and County aforesaid,
 to testify on the trial of a cause wherein

is Plaintiff, and *Betsy Akers*

is Defendant on behalf of the *defendant*

And hereof fail not at your peril. And the person or officer serving this Writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

WITNESS my signature, this *15* day of *Jan*, 187*4*

C. W. Cochran
 JUSTICE OF THE PEACE.

Van Beek, Barnard and & Tinsley, Printers, St. Louis.

SUBPOENA FOR WITNESS.

Jim Akes

Pl'ff.

VS.

185.
Betsy A. Keen

Def't.

BEFORE

Grant County

J. P.

WITNESSES.

I HEREBY CERTIFY That I served the within Writ in the County of

RETURN.

on the

6th

day of

 $187\frac{9}{10}$, by

Dear

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At

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Save

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10. The Chaldean and Assyrian

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Concord Chamberlain

1877

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and

FELT, S. C. C.

Dear Sir,

William Akers, - Plaintiff } In the Circuit
 Against } Court of Jefferson
 Betsy Akers, - Defendant } County Minn.

The Defendant for Answer to the amended Petition of Plaintiff, filed October 13th 1873, denies that the Plaintiff, during the time he lived with her as her husband, from the time of their marriage, till the 1st day of April 1871, treated her with kindness and affection and faithfully demeaned himself and discharged all his duties as such husband. And Defendant denies that she on or about the 1st day of April 1871, abandoned the Plaintiff's bed without any reasonable or just cause or excuse, - and she denies that she from that time to this, willfully and obstinately refused to cohabit with the Plaintiff as his wife, or to permit him to cohabit with her, as her husband, and denies that during that time, she offered such indignities to his person as to render his condition intolerable, by obstinately and willfully refusing to cohabit with him as his wife, or to permit him to cohabit with her as her husband, or by cursing or abusing him, or mistreating, or threatening him, - And Defendant denies that she continued to absent herself from the Plaintiff, or from his bed ~~and~~ ^{or} that she refused to cohabit with him as his wife, or to permit him to cohabit with her as her husband, against his will & consent during the time aforesaid,

To wit, from the 1st day of April 1871, to the time she abandoned his house, in January 1873, But, Defendant states that if she had refused to cohabit with Plaintiff as his wife, or to permit him to cohabit with her as her husband, during the time aforesaid, she would have been well justified in so doing, for the reason that Plaintiff was ^{during} said time, in the constant habit of cohabiting and committing adultery with various women in the neighborhood, as hereinafter charged.

Defendant therefore denies that Plaintiff is entitled to be divorced from the bonds of matrimony contracted with her as aforesaid.

And for further Answer, by way of Cross-bill, the Defendant states that the Plaintiff, on the 1st day of April 1871, actually drove the Defendant away from his residence, - compelled her to leave for fear of her life, - that he cursed, and abused her at a terrible rate, and threatened to whip and beat her, if she did not leave, and swore he would make it too hot for her to stay there, - And she did therefore leave him at that time for fear of her life, as she in consequence of the desperate abuse and threats he made towards her, feared her life was in danger, - Defendant further states that the Plaintiff failed to provide for her while she did live with him

and that he without any just provocation
on the 1st of April 1871, drove her away,
And Defendant charges that the Plaintiff
has committed adultery since the marriage
aforesaid; and she further charges that he
has treated her with such indignities, since
the marriage aforesaid as to render her condi-
tion intolerable; in this, that he has on many
occasions, cursed, abused, and maltreated
her, - calling her indecent and improper
names, - And Defendant charges that
Plaintiff has absented himself from De-
fendant without a reasonable cause for
the space of one year, since said marriage.
And Defendant further charges that Plaintiff
has, since said marriage, been guilty of
such cruel and barbarous treatment towards
her as to endanger her life. - Defendant
states that Plaintiff is possessor of real and
personal property of the value of about one thou-
sand dollars, and that she is wholly without
the means of support, - The Defendant
therefore for the causes herein above set forth,
prays to be divorced from the bonds of mari-
mony contracted as aforesaid with Plaintiff,
- that the Court will adjudge to her such sup-
port and maintenance out of the property
of the Plaintiff as may be just and reasonable,
- and that she may have the care & custody of her
infant child, a girl named, Alcinda, and that

that the Court will make such further orders &
Judgments touching the Premises as may be just
and proper. — 3 ^{Almer Green} Attorney for Defendant.

This Affiant, the above Defendant, makes oath &
says that the facts stated in the above Answer are true
according to the best knowledge and belief of the Defend-
ant, and that the Complaint is not made out of levity or
by collusion, fear or restraint, between the Plaintiff
and the Defendant, for the mere purpose of
being separated from each other, but in sincerity and
truth for the causes mentioned in this Answer.

Sworn to & Subscribed before me
Jan'y 15th 1874

Petsy ^{her} Akers
mark

W. S. Boyce Clerk
By C. H. Horne Depy

William Akers

vs.
Petsy Akers

Def't's Answer to Amended

Petition

Filed Jan 15-74
W. S. Boyce Clk.

William Akes }
vs
Betty Akes }

The Court declares the law to be as follows.

1. That the abandonment of the bed of the husband by the wife and refusal to cohabit with him or his wife or to permit him to cohabit with her as her husband is abetting herself within the meaning of the first section of the Statute of Missouri in reference to divorce.

Quinn
2. The abandonment of the husband by the wife and her refusal to cohabit with him as his wife or to permit him to cohabit with her as her husband for a long period of time is an indignity to his person so as to render his cohabitation intolerable.

Quinn
3. The allegations in the Cross bill of Defendant in regard

to the charge of adultery or indigni-
ties are not sufficient to vitiate
defendant's divorce ~~case~~