

Tofferson County Circuit Court
Case Files - Civil
September 1873, No. 20

Box 31 Folder 49

Koester, John M.

vs
Koester, Sarah

Divorce

Married 1871; abuse; adultery;
pregnant prior to marriage; refusal
to cohabit

John M Koester Plaintiff } In the circuit Court
Against } of Jefferson County Mo
Sarah Koester Defendant } September term 1873

The Plaintiff states that on the day of 1871 in Jefferson County, Mississin. he was lawfully married to the defendant, and that he continued to live with the defendant as her husband, from the day and year aforesaid until the 24th day April 1873.

That during all that time. Plaintiff faithfully demeaned himself, and discharged all his duties as the husband of the defendant. and at all times treated her with kindness and affection, but that the Defendant wholly disregarding her duties as the wife of Plaintiff, contracted habits of improper intimacy with other men, and Plaintiff charges that the Defendant has committed adultery with divers men, ~~other than~~ in said county, since their said marriage.

Plaintiff ^{further} charges and alleges that she the said Defendant was at the time of the solemnization of their said marriage, pregnant by some person, other than her intended husband the plaintiff, and that the fact thereof was unknown to Plaintiff, and he was wilfully kept in ignorance thereof. Plaintiff further charges and

thereof. Plaintiff further charges and alleges, that the defendant, ~~during~~ during the time of their living together as man and wife, used abusive obscene and profane language towards this plaintiff; and at divers times, without any provocation on the part of plaintiff, she the said

defendant did with her fists and with ~~her~~ a large piece of iron, strike this plaintiff, and so wound him that the blood flowed profusely from his nose.

Plaintiff further charges and alleges that the said defendant doth refuse to submit to the lawful and legitimate familiarities of the said Plaintiff, and refuses to ~~have~~ ^{cohabit} ~~intercourse~~ with him.

Plaintiff states that the wrongs and indignities thus offered to him by the Defendant, makes his life with her intolerable and insufferable.

Plaintiff further states that he has resided one whole year in the State of Missouri, next before the filing of this petition. The plaintiff therefore for the causes above stated, prays to be divorced from the bonds of matrimony contracted as aforesaid with defendant.

Thomas H. McMullen

Atty for Plaintiff

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

Sworn to and Subscribed before

me July 28 1873

W. S. Boyce

D. D. No. 11091 Sept

John M. X. Keester
mark

John M Koester
against
Sarah Koester

Issue process to this court
Amos McMullen Atty

Filed July 26 1873
md Boyce Cn

The State of Missouri, }
COUNTY OF JEFFERSON. } ss.

The State of Missouri,

TO THE SHERIFF OF THE COUNTY OF JEFFERSON---GREETING:

We command you, that you summon *Sarah Koester*

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 *September* next, then and there to answer unto

John M. Koester

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 affixed, at office in Hillsboro, this *26th*

day of *July* A. D. 187*6*

W. S. Boyce

Clerk Circuit Court.

By

Chas. W. Moore

Deputy.

I executed the within summons at the
county of Jefferson & state of Missouri on
the within named ^{+ defendant} Sarah Keester by
delivering to her ^{with} true copy of the original
and petition annex thereto on the 15th
day of August 1873.

J. B. Moss Sheriff
By J. & Williams
Deft

20

3583

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

September TERM, 1873.

John M. Keester

Sarah Keester

Sheriff fees \$1.00

(original)

Platton new

William, Wiven

County of Jefferson,

The State of Missouri.

To, *Gottfried Koesber* *Emma Koesber*
Thomas A Williams

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 *11th day of May* *AD 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

John Koesber is
Sarah Koesber is

Plaintiff, and

Off

Defendant, on the part of

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 *27* day

of *April*, A. D. 1874.

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

Koester
vs
Koester

Gottfried Koester
Emma Koester
Tha. A. Williams

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Executed the within and before at the Court
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on the 1st day of May 1878
of the Appraiser
By J. A. Williams
J. A. Williams

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John Kaesher }
Sarah Kaesher, }

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