

Tofferson County Circuit Court

Casa Files - Civil

November 1873

Gibbons, William M.

vs

Gibbons, Elizabeth

Divorce

Married 24 January 1867;

adultery with Charles Butler

Box

31

Folder 61

William M. Gibbons, Plff.
against
Elizabeth Gibbons, Defendant

In the circuit
Court of
Jefferson
County Missouri

Plaintiff states that he was lawfully married to the defendant in Jefferson County Missouri on the 24th day of January 1867 that he continued to live with the defendant as her husband from and after the day and year last aforesaid till on or about the 25th day of June 1872 that during all that time he faithfully demeaned himself and performed all his duties as the husband of the defendant but the plaintiff avers that the defendant since the marriage aforesaid wholly disregarding her duties as the wife of plaintiff has committed adultery with one Charles Butler, and has since the 25th day of June 1872 lived in open adultery with said Butler, plaintiff further avers that he has resided within the State of Missouri for more than one whole year next before the filing of this petition and

in Consideration of the Premises
Plaintiff prays the Court to
Decree that he be divorced
from the Bonds of Matrimony
Contracted (as aforesaid)
with the defendant and that
the Court will grant other
proper relief, in the premises

Jos. J. Williams
Attorney for Plaintiff

William M. Gibbons on his oath
says that the matters and things
set forth in the foregoing petition
are true to the best knowledge
and belief of the plaintiff, that
the complaint is not made out
of Lechery or by collusion
fear or restraint between
the parties for the mere purpose
of being separated from each
other but in sincerity & truth
for the purposes stated in the
complaint, Plaintiff further says that defendant
is a non resident of the State of Wm M. Gibbons

Sworn to and subscribed mark
before me November 17th
1873 W. S. Boyce Clerk
R. O. H. Attorney at Law

42403555

Wm M. Gibbons
vs
Elizabeth Gibbons

Action for Divorce

Original

Paola

Miami Co

Kansas

Entry lines in Paola

William M Gibbons Plff. } In the Circuit
against } Court of Jefferson
Elizabeth Gibbons Defendant. } County Missour

Plaintiff states that he ~~has~~ was lawfully married to the defendant in Jefferson County Missouri on the 24th day of January 1867 that he continued to live with the defendant as her husband from and after the day and year last aforesaid till on or about the 25 day of June 1872 that during all that time he faithfully demeaned himself and performed all his duties as the husband of the defendant but the plaintiff avers that the defendant since the marriage aforesaid wholly disregarding her duties as the wife of plaintiff has committed adultery with one Charles Butler and has since the 25th day of June 1872 lived in open adultery with said Butler. Plaintiff further avers that he has resided within the state of Missouri for more than one whole year next before the filing of this petition and in consideration of the premises plaintiff prays the ~~court~~ court to decree that he be divorced from the bonds of matrimony contracted as aforesaid with the defendant and that the court will grant other proper relief in the premises.

Jas. J. Williams
attorney for Plaintiff

William M Gibbons in his oath says that the matters and things set forth in the foregoing petition are true to the best knowledge and belief of the plaintiff, that the complaint is not made out of levity, or by collusion or fear or restraint between the parties for the mere purpose of being separated from each other but in sincerity & truth for the purposes stated in the complaint. Plaintiff further says that defendant is a non-resident of the State of Missouri.
Sworn to and subscribed Wm M^{his} Gibbons
before me November 17th 1873. mark

W S Boyce Clerk
By C H Stone de pr.

William M Gibbons } In the Circuit
against } Court of Jefferson
Elizabeth Gibbons } County Missouri.

To Elizabeth Gibbons defendant, you are notified that a suit has been commenced against you by petition in the circuit court of Jefferson County, Missouri wherein William M Gibbons is plaintiff the object and general of which is to obtain a decree for divorce from the bonds of matrimony now existing between you and said plaintiff, a

copy of the original petition is herewith
attached which petition is now on file
and a writ therein now pending against
you in the Circuit Court aforesaid ~~in~~
~~or~~ and unless you appear at the next
term of said court to be held on the
second Monday in September 1873
and answer or demur, or plead to
said petition on or before the sixth
day of said term judgment will
be rendered ~~against you~~ according
to the prayer of said petition,

William M Gibbons

Plaintiff

By Jos. J. Williams Attorney

Return

State of Kansas }
Miami County. }

I a person above the age of twenty one years and a
competent and disinterested witness in the within
stated cause in oath state that I served the
within notice on the within named Elizabeth
Gibbons in Miami County in the State of
Kansas on the day of December 1873
by giving to him a true copy of the within notice and petition

signed

Sworn to and subscribed
before me at office in

Sheriff's Office Returns
Miami County Kansas

Received the return Return
this 10th day of December
A.D. 1873 and return
the same this 11th day of
December A.D. 1873 and
say that the defendant
Elizabeth Gibbons at the
May Term May 15th A.D.
1873 of the District Court
in the said Court within
and for said County and
State obtained a divorce
from the said William
Gibbons and has since
that time married one
Charles Butler on the 14th
day of June A.D. 1873 and
is not at this time residing
in said County

M. C. Carter Spt-
Sheriff Miami Co
Kansas

Gibbons

vs
Gibbons

Sheriff make your
return on this writ

Miami County Kansas this day of
December 1873,

Witness my hand and seal
of office affixed at office
in said County and State the
date last aforesaid,