

Jefferson County Circuit Court
Case Files - Civil
September 1886

Box 38 Folder 26

McDaniel, Martie

VS

McDaniel, James J.

Divorce

Married 24 December 1885;
adultery with Mrs. Ginsler

Martie McDaniel ^{Plaintiff}
against
James McDaniel ^{Defendant}

In the Circuit Court of
Jefferson County Missouri
September Term A.D. 1886
Plaintiff states that on the
24th day of December A.D.
1885, in the County of Jefferson
in the State of Missouri she was
lawfully married to the
defendant; That Plaintiff con-
-tinued to live with the defendant
as his wife, from and after the
day and year aforesaid, until
the 6th day of June 1886 last
past; 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, on or
about the 1st day of May told me
that his old girl had come
back from Texas, That on the
3rd of May last past ~~Mrs. Stoley~~
~~was at Mrs. Ginsler~~ was at
her ~~brother's~~ ^{sister's}, Mrs. Stoley

and the defendant left plaintiff alone at home and went and set up with said Mrs Ginsler until after midnight & then he informed the plaintiff that he had been with her during that time, and ~~the~~ the same week after this the defendant told me we had better quit and that he would give ^{me} ~~her~~ two hundred dollars to go home, on Saturday the 15th day of May Mrs Ginsler gave a party in honor of the defendant, and in order to go to the same he informed plaintiff that he was going to Sittimers Store & instead of going to the store as he told me he would he went to the party and staid all night there leaving plaintiff home with Thumy McDaniel, on the 22^d of May defendant went to a ball at Postnaps and met Mrs Ginsler and set up with her and acted in the same loving manner to her

as if he was a single and
unmarried man, that on
this night he left this plaintiff
without any company, and
the following week he told me
that he would give me four
hundred dollars if I would
go home and that I had
better ~~do it~~ take it for he
would leave and I would
not get any thing and he told
the plaintiff that he loved
that woman Mrs Ginsler better
than any thing in the world and
if he had her he would be
happy and that he would have
her some day and told plaintiff
that he never loved her,
I told him if he would forsake
that woman I would live with
him and he replied that that
woman (meaning Mrs Ginsler)
had as much right to him
as plaintiff had, by which
actions of ~~plaintiff~~ of defend-
ant he ^{has} rendered plaintiff's
condition intolerable,

Plaintiff further states that the
defendant is possessed of
personal property to the value
of ~~Six~~ hundred dollars.

that she is wholly without the means of support and for the prosecution of this suit.

Plaintiff further states that she has resided within Jefferson County Missouri one whole year next before the filing of this suit.

The plaintiff therefore prays to be divorced from the bonds of Matrimony contracted as aforesaid with the defendant; and that the court will adjudge to her such support and maintenance, out of the property of the defendant, ^{as she may be entitled to} and for such other & further relief as may be proper

W. H. H. Thomas
Atty for 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
Subscribed & sworn
to before me this } Martio McDaniel
16th day of June 1886 }
C. McDaniel
Clerk.

Mattie McDaniel
against
James J. McDaniel

Petition for
Divorce

Filed June 11th 1886
C. Thos. Norine
Clerk

THE STATE OF MISSOURI, } SS.
County of Jefferson.

The State of Missouri,

To the Sheriff of Jefferson County---Greeting:

We command you, that you summon.

James I McDaniel

if found in your County, to be and appear before the Honorable Judge of our Circuit Court, on the first day of the next term thereof, to be begun and holden at the town of Hillsboro, within and for the County of Jefferson, on the *second* Monday of *September* next, then and there to answer unto

Markie McDaniel

upon *her* original petition, a copy whereof is hereunto annexed and accompanies this writ, and have you then there this writ.

Witness, C. THO. HORINE, Clerk of our said Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *16th* day of *June* A. D., 18*86*,
C. Tho Horine, Clerk Circuit Court.

I executed the within writ in the County of Jefferson in
the State of Missouri on the 14th day of August
1886 by delivering to the within named defendant
James & M Daniel a copy of the within writ
and annexed petition as furnished me by the Clerk
of the Circuit Court of Jefferson County Missouri

Fee \$1.00

Henry Kurtz
Shiff Jeff County Mo

6325

Sept. 29 1886

Markie McDaniel

do do do

James & M Daniel

Original

Aug 14/86

To Mark McDaniel

Killbuck June 16th 1886

This is to certify that James McDaniel has this day deposited with me the sum of Three Hundred Dollars (\$300.00), to be paid by me to Mrs Martha McDaniel, wife of said James McDaniel on the first day of February A.D. 1888, provided however the said Martha McDaniel obtains a divorce from the said James McDaniel on or before said first day of February A.D. 1888, otherwise said Three Hundred Dollars, the amount so deposited with me by said James McDaniel shall be returned to him by me on that day. But if the said Martha McDaniel shall die on or before said February 1st A.D. 1888 then in that case said Three Hundred Dollars shall be paid by me to the heirs of said Martha McDaniel on the day above mentioned, although said Martha McDaniel has obtained no divorce from said James McDaniel dies without having obtained a divorce from the said James McDaniel

Sullivan. Frazier

McDermie }
 McEwen }

Arrive 25¹⁰ / Brown 100¹⁰ / Dec 10¹⁰
 Copy 100 120 out 10 25 / Dec 10 30 / Dec 10 10
 Deane to Aug 30 / Dec 25

1.30
 1.85
3.15
 3.70

Wing, Apr. 20 12¹⁰ / Dec 30 / Dec 30 / Dec 30

1.00

Justice 10 / Dec 10 / Dec 10 / Dec 10

1.60

Wing 10 / Dec 30

30 1.90

5,60

Sheikh, Sumner 1.00

1,00

not a