

Jefferson County Circuit Court

Case Files - Civil

January 1887, NO. 59

Sebastian, Henrietta

vs

Sebastian, Michael C.

Divorce

Married 11 October 1876 in St.

Louis; drunkenness; abuse; child

Benedict

Box

38

Folder 36

by her for his conduct he struck her in the face and kicked her

That afterwards and during her confinement he abused her and threatened to strike her.

That in January 1883 he came home about two o'clock in the morning, was drunk, ran her out of the house on the street and locked the door, she had nothing on except her night clothing, and kept her out till she became very cold

That in July 1884 he again struck her, called her a bitch and a whore. Since that time and up to the time of separation, he drank harder and harder, was always disagreeable when in liquor and would often call her a slut and a whore

He commenced about 1884 saying he could get a better wife than she and that he wanted her to leave him and go to her father. This he said many times until she finally left him on the day aforesaid

Plaintiff further states that she is wholly without means of support and for the prosecution of this suit. The plaintiff therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with the defendant. That Plaintiff further states there was born of the marriage aforesaid one child, a boy named Benedict, who was eight years old last March. Plaintiff further states that she has resided within the state for one whole year next before the filing of this petition and is now a resident of the County of Jefferson.

Plaintiff further states that she is wholly without means

of support and for the prosecution of this suit.

The plaintiff therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with the defendant, that she may have the care and custody of her said infant, that the Court should adjudge to her such support and maintenance and require the defendant to pay such sums from time to time as the nature of the case and the circumstances of the parties may require, and for such other judgments and orders as the Court may find to be right and proper.

Thoroughman Christian Priest
Attorney 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 plaintiff, and that the Complaint is not made out of levity or 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.

Henrietta Sebastian

Subscribed and sworn to, before me,

This the 14th day of December 1886

J. H. Hensbrough

Notary Public
City of St. Louis Missouri

Petition

A true copy of the original, now on file in the
Office of The Circuit Clerk Jefferson County



State of Missouri } In the Circuit Court
County of Jefferson } January Term 1887

Henrietta Sebastian } Plaintiff.

Against

Michael C. Sebastian } Defendant.

Plaintiff states that on the eleventh day of October 1876 in the City of St. Louis, State of Missouri, she was lawfully married to defendant; that plaintiff continued to live with defendant as his lawful wife from and after that day aforesaid until the 15th day of April 1886 last past; That during all that time plaintiff demeaned herself and discharged all her duties as the wife of defendant and at all times treated him with kindness and affection but the said defendant wholly disregarded his duties as the husband of plaintiff, treated her in a cruel and barbarous manner and called her names and otherwise demeaned himself so as to render her condition of life intolerable, to wit:

In November after their marriage in 1876 he slapped plaintiff in the face with his hand and called her a bitch and a whore.

And about three weeks before their child was born he came home

late at night in company with some other men who were unknown to the plaintiff in an intoxicated condition he had some wine which he said he had purchased for the plaintiff but instead of giving it to her, he and his friends drank it, when reproached by her for his conduct, he struck her in the face and kicked her.

That afterwards and during her confinement, he abused her and threatened to strike her.

That in January 1883, he came home about two o'clock in the morning was drunk, ran her out of the house on the stand and locked the door she had nothing on, except her night clothing and kept her out till she became very cold.

That in July 1884, he again struck her called her a bitch and a whore. Since that time and up to the time of separation, he drank harder and harder was always disagreeable when in liquor and would often call her a slut and a whore.

He commenced about 1884 saying he could get a better wife than she and that he wanted her to leave him and go to her father. This he said many times until she finally left

him on the day aforesaid.

Plaintiff further states there was born of the marriage aforesaid one child, a boy named Benedict, who was eight years old last March. Plaintiff further states that she has resided within the State and for one whole year next before the filing of this petition and is now a resident of the County of Jefferson.

Plaintiff further states that she is wholly without means of support and for the prosecution of this suit. The plaintiff therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with the defendant, that she may have the care and custody of her said infant, that the Court should adjudge to her such support and maintenance and require the defendant to pay such sums from time to time as the nature of the case and the circumstances of the parties may require and for such other judgments and orders as the Court may find to be right and proper.

Thoroughman Christian & Priest
Attorneys 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
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 causes mentioned
in the petition.

Henrietta Sebastian

Subscribed and sworn to, before me,
This 14th day of December 1886.

J. H. Hansbrough, Notary Public,
City of St. Louis, Missouri.

726 Main St.

H. Sebastian Poff
VS

M. C. Sebastian Deft.

Petition

\$ 45
\$ 3.75 to Horton
as his fees and clerk
Jan'y 13th 1887

Filed Dec. 15th 1886

C. P. Ho. Attorney
Thoroughman Christen
& Poff
Attys for Poff.

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

The State of Missouri, *City of St. Louis*

To the Sheriff of ~~Jefferson County~~ --- Greeting:

We command you, that you summon.

Michael Sebastian

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 *January* next, then and there to answer unto

Henrietta Sebastian

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 *December* A. D., 18*86*,

C. Tho. Horine Clerk Circuit Court.

6375

#59

To the Jefferson Circuit Court
January Term 1887.

Memorandum of Michael C. Sebastian

vs. J. Lawrence

Michael C. Sebastian

Original

Home Ck. 1.20 100 100 100
Bill of exchange 2000 with City
Book 10 3.45
Filed Jan'y 7th 1887
W. H. Mearns
620 Chestnut St.

Executed this writ in the City of St. Louis this 18th day of December 1886. by delivering a copy of the writ and Petition as furnished by the Circuit Clerk of Jefferson County Missouri to Michael C. Sebastian the within named defendant

Henry F. Harrington Sheriff
By Charles Young Deputy

Fee \$1.00
Paid by
Christian D. Priest

D. B. Keagy, Clerk
Block 10 / File 57 default 30 Court 25 / - 70
Appr 10 / vend 30 / Judgt 50 / Order for Custody 30 / 120
File bill of hearing Court 10 / Copy 5 / 25
Copy Writ 20 / 70 50 / Postage 5 / 80 295