

Jefferson County Circuit Court
Case Files - Civil

Box

3 Folder 34

August 1837

Stewart, William

vs.

Stewart, Elizabeth

Divorce

Married 1818; desertion,
adultery

Pray.

William Stewart
by
P. Holt

Jefferson County, N.Y. personally appeared

before the undersigned clerk of the Circuit Court within and for the County of said Jefferson County complainant in the within bill of complaint and made oath that the facts stated in said bill are true according to the best knowledge and belief of said complainant and that said complaint is not made out of hatred, or by collusion fear or restraint between the said complainant and the said Elizabeth Cady Stanton for the mere purpose of being separated from each other, but in sincerity and in truth for the causes mentioned in said bill.

Subscribed and sworn to. William Stewart
before me this 11th day of
April 1837 Henry P. Bates Clerk C.C.

326

William Stuart

in

Elizabeth Stuart

This is a Bill in
Chancery for a
divorce from the
bonds of matrimony
The clerk will show
The necessary process

P. H. H.
Lancaster.

Filed Apr. 11th 1837

Wm. H. Bates

clerk

To the Honble the Judge of the circuit
Court sitting as a Court of Chancery
within and for the County of Jefferson
Your brother William Stewart humbly
complains would respectfully shew unto
Your Honor, that some time in the
Year 1818 — and at the County
of Jefferson in the ^{now} State of Missouri Your
brother was lawfully joined in matrimony
with Elizabeth ~~Stewart~~ ^{Stewart}. That Your
brother and the said Elizabeth lived
together as man and wife after and in
marriage near 14 - years and
had seven children. That
about the Year 1834 - the ^{Elizabeth} said
without any agreement came whither
desired from brother's house and continued
absent about one Year and then
returned. She in a short time thereafter
left Your brother's house again and her
children, and as Your brother has been
informed has visited relatives and other

other slaves remote from home, without
paying the least regard to your sister or
her bond & her children with her and
their consciences absent from your sister.
This complaisant would further charge
that since his marriage with the
said Elizabeth she has com-
mitted adultery, wherefore and
in that case, your sister prays a
divorce from the bonds of matrimony
from the said Elizabeth

and that your honor would grant
unto him such other and further
relief in the premises as may seem
meet to this honorable court, and
that you would furthermore grant to
this complaisant the sole right
to compel the ^{of said Elizabeth} appearance before this
honorable court to answer all and
signify the premises, and as in duty
bound your sister will ever

To the Honble the Judge of the Circuit Court
sitting as a Court of Chancery within and for
the County of Jefferson, your Orator William
Stewart humbly complaining would respectfully
shew unto your honor, that some time in the
year 1818 and at the County of Jefferson in the
now State of Missouri your Orator was lawfully
joined in Matrimony with Elizabeth Crawford
that your Orator and said Elizabeth lived
together as man and wife after said marriage
near 14 years and had some Children, that about
the year 1834 the said Elizabeth without any
assignable cause whatever deserted your Orator
house, and continued absent about one year
and then returned, she in a short time thereafter
left your Orator house again and her Children
and as your Orator has been informed has visited
Orleans and other ~~and~~ places remote from home
without paying the least regard to your Orator
her husband and ^{her} Children with him and still
continues absent from him your Orator. This
complaint would further shew that since his
marriage with the said Elizabeth she has associated
at ~~at~~ ^{at} ~~at~~ ^{at} where upon and for that cause your
Orator prays a divorce from the bonds of Mat-
rimony from the said Elizabeth, and
that your honor would grant unto him such
other and of certain relief in the premises as
may seem just to the honorable Court, and
that you would furthermore grant to this
Complainant the Writ Subpoena to compel
the appearance of said Elizabeth before
this honorable Court to answer all and singular
the premises, and as in duty bound your
Orator will ever pray

William Stewart

by O. C. Ball per com

A Copy. Attest Henry P. Bates
Clerk C.C.

Mr Stuart
 { copy bill
 { Chancery
Elizabeth Stuart

To August Term 1837
To April Term 1838

State of Missouri
County of Jefferson } ss

The State of Missouri to
the Sheriff of Jefferson County Greeting: We command
you to summon Elizabeth Stewart if she be found
within your bailiwick, that she be and appear before
the Judge of our Jefferson Circuit Court at a term
thereof to be holden at Herculaneum for said County
on Monday the 7th day of August next, to answer
William Stewart of his original bill in
Chancery exhibited and filed in said Court
against said Elizabeth and you then there this
writ, and make due return how you execute
the same writing Henry P. Bates Clerk of our
said Court at office this 24th day
of May in the year 1837

Henry P. Bates Clerk
cl

Mrs Stuart
vs { Spu in
Chancery
Elizabeth Stuart

To August term 1837

of the within writ returned undersigned
the Deponent Elizabeth Stewart not
found
J. McGowan Sheriff

COUNTY OF JEFFERSON, SCT.

THE STATE OF MISSOURI,

To the Sheriff of

Jefferson County,—GREETING:

You are hereby commanded to summon

E. Johnston, Laurence McHenry and
Valentine Weiss.

that, setting aside all manner of excuse and delay, he be and appear in proper person before the Judge of our Circuit Court, on the *Seventh* day of *May*, at the town of Her-
laneum, then and there to testify and the truth to say in a certain matter of controversy now pending in our said Court, wherein *William Stewart* is plaintiff, and *Eugene Stewart* is defendant, on the part of the *plaintiff*; and have you then there this writ.

WITNESS, HENRY P. BATES, Clerk of our said Circuit Court, at the town of Her-

laneum, this

23/51

day of

May in the year of our Lord one thousand eight hundred and *thirty seven*

CLERK, C. C.

Henry P. Bates

I served the within Subpoena on all of
the within within witnesses.
J. M. Crustan Sheriff

Defterton Council-Court

August Term

1834

William Stewart

vs J. Debra

Elizabeth Stewart

Witnesses for Deft

David Johnston.

Johnston to Johnston

James M. Stewart

Notence: These

State of Missouri
County of Jefferson 3d.

The State of Missouri to the
Wm of Jefferson County Greeting. We you to summon
Wm. Webb Stewart if he be found within your
jurisdiction that he do and appear before the
Judge of our Jefferson District Court at a term
thereof to be holden at We call on our Jurors
County on Monday the 12th day of December
next to answer William Stewart of his original
bill in Chancery of habeas and release of said
Stewart against said Wm. Webb Stewart on or
before your return thereon this writ.

Witness John J. Matthews Clerk
of our said Court at Office in
the town of Moberly on this 20th day
of Nov^r 1837.

John J. Matthews, Clerk

William Stewart
vs J. in Chancery
Elizabeth Stewart

(alias.)

No Dec & term 1837

Filed Dec 12th 1838

Matthews

CK

The within named Elizabeth Stewart not
found in my Bailiwick
J. M. Coe Sheriff

State of Maryland }
County of Jefferson } The State of Maryland to the
Sheriff of Jefferson County, Greeting. We command
you to summon William Stearns if he be found
in your bailiwick, that he be and appear before
the Judge of our Circuit Court for the County of Jefferson
at a term thereof to be holden in at the second Monday
of April next, being the 9th day of said month at the
town of Mercersburg, to answer William Stearns of
his original bill in Chancery exhibited and filed in
said Court, and have you then these writs made
and return how you execute the same

Attest John C. Matthews Clerk of our
said Court at Office in Mercersburg
this 20th day of March 1838
John C. Matthews Clerk

The within Writ returned unserved
Elizabeth Stewart not found

L. M. Crismon Sheriff

fee for no

Jefferson Circuit Court
April Term 1838

William Stewart
vs Elizabeth Stewart

Filed April 1838
J. Mathews
clerk

State of Missouri }
County of Jefferson } (The State of Missouri
To the Sheriff of Jefferson County. Greeting

We command you to summon Elizabeth Stewart
if she be found in your bailiwick. that she be and
appear before the Judge of our Jefferson Circuit Court
at a term thereof to be holden at Mercurianum on
Monday the 9th day of April next in and for said County
to answer William Stewart of his original bill
in Chancery filed and exhibited in said Court agai-
nst said Elizabeth for a divorce, and have you then
there this writ and make ~~and~~ return how you
execute the same.

Witness John S. Mathews Clerk
of our said Court at Mercurian-
um this 12th day of February
in the year of our Lord 1838.

John S. Mathews
Clerk

Jefferson Circuit Court
April Term 1838

William Stewart
vs }
James }
Humphreys }
Elizabeth Stewart

Dee of Divorce

Filed April 9th 1838

W. Matthews
clerk

Unsewed Elizabeth Stewart not found

L. M. Christian Sheriff

Fee \$00.50