

Jefferson County Circuit Court
Case Files - Civil
August 1838, No. 4

Box No.

4

Folder No.

4

McFarland, John

vs

McFarland, Sarah

Bill of Divorce

Married 2 June 1836; adultery;
defendant nee Alexander

To the Honorable the Circuit Court, sitting as a Court
of Chancery in the County of Jefferson within and for the
Ninth Judicial Circuit, ^{in the State of Missouri} Your Orator humbly complaining
sheweth unto your Honor that on the second day of June
of the year of Our Lord One thousand Eight hundred & thirty
six your Orator John McFarland was lawfully married to Sally
Alexander his now wife, with whom he lived for the space of
seven months, your Orator behaving himself as a good and
faithful husband, furnishing all that was necessary and within
his reasonable means for the comfortable support of his
family; That his said Wife on the contrary, was frequently
indulging in the society and receiving attentions from
other & various men of the neighborhood, unbecoming
a married woman, scandalous in society and ex-
tremely vexatious and annoying to your Orator; - ~~That~~
all which your Orator submitted so long as a hope
of Reform Remained, or the least ground of hope ~~that~~
~~left~~ of her conjugal innocence was left; But when
she had become so bold as, openly and in defiance
of her marriage vow, to cohabit ~~and~~ commit a
adultery with other men under the observation of
your Orator, further forbearance became in his
eyes a crime, and he and his wife separated and have
ever since continued to live separate... Your Orator
avows and expressly charges that his said Wife has
been guilty of adultery contrary to her vow of pure
Remony & constancy. And that it is impossible for him
longer to live in peace with her, and your Orator also
further avows that he was married as aforesaid in
the State of Missouri when they have Resided ever since
& that the offence aforesaid was committed within
said State of Missouri. Wherefore your Orator

Your Honorable Court to grant him a ~~decree~~
of divorce from the bonds of Matrimony by him so as
aforesaid Contracted with the said Sally Alexander
And your Orator will ever pray &c.

Per Solicitor for Compt.

County of Jefferson
State of Missouri } Jcs. John M^{re} Farland being
duly sworn upon his oath says that the facts
stated in the above Bill of Complaint are true
according to the best of his knowledge & belief And
that the complaint is not made out of libelity or
Collusion, fear or Constraint between the Complain-
ant & defendant, for the mere purpose of being separated
from each other, but in sincerity & truth for the
causes mentioned in said Bill.

Sworn Subscribed
before me this 9th day of
April A.D. 1838

John M^{re} Farland

Wm. J. Matthews
Clerk

John McFarland
in Eliza for Lucretia
Cathy McFarland

Black Prairie, 7th 1838
John A. McArthur
Black

State of Missouri }
County of Jefferson } The State of Missouri to the
Sheriff of Jefferson County. Greeting.

You are hereby commanded to
summon Sarah McFarland if she be found
in your bailiwick that she be and appear before
the Judge of our Circuit Court at a Court to be holden
at the Town of Merculaneum on the first Monday of
August next, being the sixth day of said month
then and there to answer the complaint of John
McFarland by his original bill in Chancery in said
Court Exhibited and filed, a copy of which is
hereto attached, and have you then there this writ
and make due return how you execute the same

Witness John S. Mathews Clerk of
our said Court of Office in Mercula-
neum this 21st day of May in the year
1838.

John S. Mathews Clerk

Copy of bill.

To the Honorable the Circuit Court sitting as a Court
of Chancery in the County of Jefferson within and for the
ninth Judicial Circuit in the State of Missouri, your
Orator humbly complaining sheweth to your honor, that
on the second day of June of the year of our Lord one
thousand eight hundred and thirty six, your Orator John
McFarland was lawfully married to Sally Alexander
his now wife with whom he lived for the space of
seven months, your orator behaving himself as a good
and faithful husband, furnishing all that was neces-
sary and within his reasonable means for the comfortable
support of his family That his said wife on the contrary
was frequently indulging in the society and receiving
attentions from other and various men of the neighbour hood
unbecoming a married woman, scandalous in society
and extremely vexatious and annoying to your orator
To all which your orator submitted so long as a hope
of reform remained or the least ground of hope of her

conjugal ~~passion~~ ~~separated~~ left. But when she had become so bold as openly and in defiance of her marriage vow to cohabit and commit adultery with other men under the observation of your orator, further forbearance became in his eyes a crime and he and his wife separated and have ever since continued to live separate.

Your orator avers and expressly charges that his said wife has been guilty of adultery contrary to her vow of matrimony & constancy, and that it is impossible for him longer to live in peace with her. And your orator further avers that he was married as aforesaid in the State of Missouri where they have resided ever since & that the offence aforesaid was committed within said State of Missouri. Wherefore your orator prays your honorable Court to grant him a decree of divorce from the bonds of matrimony by him & as aforesaid contracted with the said Sally Alexander, and your orator will ever pray &c.

Bent solicitor for complainant

County of Jefferson, Mo
State of Missouri

John McFarland being duly sworn upon his oath says that the facts stated in the above bill of complaint are true according to the best of his knowledge and belief, and that the complaint is not made out of levity or collusion fear or restraint between the complainant and defendant for the mere purpose of being separated from each other but in sincerity & truth for the causes mentioned in said bill.

Sworn and subscribed
before me this 9th day
of April A D 1838

John McFarland

804

Jefferson County Court
August Term 1838

John McFarland

vs Bill of Divorc
Sarah McFarland

Summons for Defendant

Issued May 21st 1838

Returned and filed
Nov 3rd 1838

Amos Weather
clerk

I served the within writ by reading
the same in the hearing and presence
of Sarah McFarland in the County of
Jefferson on the 16th July 1838.

A. M. Christian Sheriff

Served July 16th 1838 by reading