

Selferson County Circuit Court
Case Files - Civil
November 1847

Box

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Benton, Thomas

vs

Benton, Lucy

Divorce

Martied 1 September 1845;
desertion 1 October 1845

State of Missouri
County of Jefferson } In the Circuit Court of
Jefferson County - November
Term 1847.

To the Honorable John W. Stone
Sole Judge of the Circuit Court of Jeffer=
son County, sitting as a Court of Chancery.

Your Complainant, Thomas Denton,
would respectfully set forth and shew
unto your Honor, That on the first day
of September eighteen hundred and forty
five, your Complainant was married to
one Lucy Lewis, now Lucy Denton, his
present wife, in the County of Franklin
~~County~~ and State of Missouri. That he
lived with said Lucy Denton as hus=
band and wife only about one month
after their marriage, during which
time he always conducted himself to=
wards ^{her} with kindness and affection,
giving her no just cause whatever
to desert and abandon him, but that
the said Lucy Denton afterwards, to
wit, on the first day of October 1845,
quit the House of your Complainant and
refused to live with him any longer,
and went away to foreign parts, since
which time, he has not seen or heard
from her. And your Complainant ex=
pressly alleges that the said Lucy Den=
ton has willfully deserted and absented

herself from him, without a reasonable
cause, for the space of two years. - Your
Complainant states that he has resided
in the State of Missouri for more than
one year immediately preceding ~~the~~ the
filing of this Bill, and that he is at pres-
ent a resident of said Jefferson County.
In consideration of the premises, your
Complainant prays that the said Lucy
Benton may be made a party depend-
ent to this Bill, that judgment may
be awarded against her, and that
she be required to answer specif-
ically and fully the several alle-
gations set forth in this Bill the
same as if they were propounded
in the form of interrogatories. And
in consideration of the premises, your
Complainant prays your Honor to
order and decree that said Com-
plainant be divorced from the bonds
of matrimony heretofore contracted
and now existing with the said
Lucy Benton; that they be dec-
ared null and void. And to grant
such other and further relief as
may be consistent with Equity and
good conscience. And in duty bound
he will ever pray &c.

Alfred Green
Solicitor for Complainant

State of Missouri
County of Jefferson }

Thomas Denton,
- the Complainant in the foregoing Bill
being duly sworn by the undersi-
gned Clerk of the Circuit Court of
said Jefferson County, upon ^{his} oath
states that the facts stated in the fore-
going Bill of Complaint are true, ac-
cording to the best knowledge and be-
lief of the Complainant, and that the
Complaint is not made out of levity
or by collusion, fear or restraint, be-
tween the Complainant and the de-
pendant, for the mere purpose of
being separated from each other
but in sincerity and truth, for the
causes mentioned in said Bill.
Sworn to and subscribed Thomas ^{his} Denton
before me this 3^d day of
November 1847 J. H. Clifford
Clerk

State of Missouri }
 County of Jefferson } Thomas Benton being by me duly
 sworn upon his oath says that Lucy Benton the
 defendant in the foregoing bill is not a resident
 of nor residing in this State to the best of his
 knowledge and belief
 sworn to and subscribed
 before me Jan'y 7th 1848.

J. H. Alford Clerk
 By H. C. Fletcher
 Dep. Clerk

Thomas ^{his} Benton
 mark

#262
 In Circuit Court of
 Jefferson County
 Nov. Term 1847

Thomas Benton

vs.
 Lucy Benton

Bill for Divorce
 The Clerk will
 issue summoning
 A. Greene
 for Compt
 fee, 50c

Filed Nov 3. 1847
 J. H. Alford Clerk

clerk fees for writ \$1 paid
 by Plaintiff

County of Jefferson Set

The State of Missouri

To the Sheriff of the County of Jefferson - Greeting
We Command You to Summons Lucy Benton
if she be found in your County, that she do
and appear before the Judge of our Circuit Court
on the first day of the next term thereof to be
held at the town of Hillsboro within and for
said County of Jefferson on the fourth Monday
of November next, then and there to answer
unto Thomas Benton on his original Bill
in chancery for a divorce (the original being
hereto attached) And have you then and
there this writ

Witness Johnson H. Aford Clerk
of our said Circuit Court
with the Seal thereof hereto
affixed at Office in Hillsboro
this 3 day of Nov. 1847.

J. H. Aford Clerk

~~I served the within writ on~~

The within named Lucy Benton
not found in my County this 22nd day
of November 1847

Geo Hammond Sheriff
By Jos Atkinson 25th

