

Tofferson County Circuit Court
Case Files - Civil

March 1858

Box 9 Folder 41

Boyd, Mary Ann

vs

Boyd, Emanuel

Divorce

Married 1849 in Franklin County;
abuse

Mary Ann Boyd, Plaintiff. } In the Circuit
Against } Court, Jefferson
Emanuel Boyd, defendant } County, Missouri

The Plaintiff states that some time in the year 1849, in Franklin County, Missouri, she was lawfully married to the Defendant, that Plaintiff continued to live with Defendant as his wife, from and after the day and year aforesaid until some time in December 1857, that during all that time Plaintiff faithfully demeaned herself and discharged all the duties as the wife of the Defendant, But that the Defendant disregarding his duties as husband of Plaintiff, during the year 1857, and without any just cause or provocation, became quarrelsome and abusive towards Plaintiff, manifesting a disposition to drive her from home, and refusing to let her visit her children, had by her former husband. That the Defendant on or about the first of September 1857, got enraged at Plaintiff without any cause whatever, and wantonly abused and mistreated her, called her a thief, and struck her with his fist and kicked her, and ordered her to leave his house and not return any more. Afterwards, in December 1857, Plaintiff went on a visit to her son's, about five miles distant, and the next day, greatly to her surprise, the Defendant sent over her clothes and some little other property, and orders for her not to return any more; and although she ^{afterwards} went back four or five times, and offered to live with him, he absolutely refused ^{of course refused} to allow her to do so, - thus driving her from home, without furnishing her with

any thing to arbitrate upon. Plaintiff there-
fore charges that the Defendant, by such con-
duct, has offered such indignities to the Plain-
tiff as to render her condition intolerable.
She further charges that the Defendant
has been guilty of such cruel and bar-
barous treatment towards her as to endanger
her life. Plaintiff further states that
there was born of the marriage aforesaid, four
children, the oldest of which is now only about
~~eight~~ ^{eight} years old, and all are now in possession
of the Defendant, except the youngest, which
is about eight months old, and is in the care of
the Plaintiff. Plaintiff states that she has
resided within this State one whole year next
before the filing of this petition. Plaintiff fur-
ther states that the Defendant is seized and pos-
sessed of Real and Personal estate and money
of the value of one ~~thousand~~ ^{thousand} dollars,
and that she is wholly without the means
of support, and for the prosecution of this suit.
She further states that at the time Defendant
married her, she owned about five hundred
dollars ^{worth} of personal property (which Defend-
ant sold and converted to his own use,) and
the Defendant had little or nothing.

The Plaintiff therefore prays to be di-
vorced from the bonds of matrimony con-
tracted as aforesaid with the Defendant;
that she may have the custody and care
of her said infant children; and that
the Court will adjudge to her such sup-
port and maintenance, out of the property
of the Defendant, as may be just and reason-
able, and make such other and further orders

Something the promises as may be just and
right, } Abner Green
Attorney for Plaintiff

Mary Ann Boyd, the plaintiff, makes oath
and says, the facts stated in the ^{above} foregoing
Petition are true, according to the best knowl-
edge 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 pur-
pose of being separated from each other,
but in sincerity and truth, for the causes
mentioned in the Petition.

Mary Ann Boyd
Sworn to and Subscribed
before me, March 15th 1858
Chas D. Honey
Clerk for Court

I do hereby acknowledge the service
of the Summons in the above Case & agree
to appear and plead to the petition at the
October Term 1858 of the Circuit Court of Jeff
erson Co Mo

June 21 1858

Emanuel Boyd

Printed June 1819

1679

In Circuit Court

Jefferson County

Henry Ann Boya

vs,

Emmanuel Boya

Petition for divorce,

Not Summons issued,

A. Green, for Petr

Filed Mar. 15th 1858

Geo G. Honeywell

2 copies per 1.50
2 cts. each. 100
25
all the way 120
10
each.

Mary Ann Boyd
 as
 Elemeel Boyd } In the circuit
 Court of Jefferson
 County Mo

The defendant denies the charges in petition mentioned and says that it is not true that he became quarrelsome & abusive towards plaintiff

Denies that he manifested a disposition to drive her from home, denies that he refused to let plaintiff visit her children, Defendant denies that he wantonly abused and struck, or mistreated plaintiff or that he called her a thief or that he kicked and ordered her to leave his house & not return any more

Defendant denies that he sent over plaintiffs clothes & other property and ordered her not to return any more

Defendant denies all the charges about plaintiff offering to live with defendant. Defendant denies that he offered such indignities to the plaintiff as to render her condition intolerable. Defendant denies that she has been guilty of such cruel & barbarous treatment towards plaintiff as to endanger her life

Defendant denies that he owns any property as charged in the petition also denies that he received any property of plaintiff

Real Atty for Defendant

Boyd
as
Boyd

Answer Sept-

Recd. Dec. 30th 1858
Geo Honey cut

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Polly Beryl, Hearten Alexander, Elias Beryl*
James Whitcomb H. Whitcomb

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Justice* Court for the County aforesaid, on the

20th day of June next. at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Henry Ann Beryl* is Plaintiff and *Edward Beryl* is Defendant on the part of *defendant* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this
20th day of *March* A. D. 185*9*
Elias F. Honey
Clerk.

20 Jefferson Co Court
June Term 1859

Henry Owen Boyd

do {
Emanuel Boyd

for debt

Wm Boyd

Martin Alexander

Eliza Boyd

James Whitcomb Th

to prove the
as the 184-9 the
within less
reliable of
the witness
in Franklin
County
& been found
of Prairie Town
Ship in
Franklin Co
the

THE STATE OF MISSOURI,

COUNTY OF JEFFERSON.

To *Justice Boyd* *Washington Boyd* *Walter Alexander*
Patrick Sawyer *Jos W Sawyer* *Robt Sand*
Jos W Sand GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Seised* Court for the County aforesaid, on the *21st day of June next* at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Henry Ann Boyd* Plaintiff and *Emmuel Boyd* Defendant on the part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court with the Seal thereof hereto affixed, at office this

13th day of *April* A. D. 1859
Elias F. Honey
Clerk.

To Concord Court
Jefferson County
June Term 1859

Henry Aaron Boyd
vs

Samuel Boyd

for Debt

Auston Boyd

Washington Boyd

Martin Alexander

Patrick Sawyer

John H. Sawyer

Robt. Dand

John Dand

May the 3rd 1859
The within were
seen at CC of the
Shelton's Court
of St. George
& Henry County
of Lewis & Clarke
County
Franklin County
Ill.

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Jelly Boyd* *Leotis Alexander* *Elias Boyd*
James Mitchell *Martha Brown* *Polly Whitworth*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Servant* Court for the County aforesaid, on the

Seventeenth day of June at *Hillsboro*, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said

Court, wherein *Henry Ann Boyd*

Plaintiff and *Emanuel Boyd* is Defendant on the

part of *defendant* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

29 day of *April* A. D. 1859
Elias F. Honey
Clerk.

de Lancut Boat
June 26th 1859

Henry Ann Boyd

Samuel Boyd

Joseph

Polly Boyd

Martin Alexander

Eliza. Boyd

James Whitsett

Martha Brown

Polly Whitworth

The within subscribers
did borrow by notes
the sum of \$1000
June 1st day 1859
By Thomas Baylors
Teller

THE STATE OF MISSOURI,

COUNTY OF JEFFERSON.

ST. Louis *Boy of Washington* *Boy of Martin Alexander*
Patrick Haggren, his wife Haggren Robert Dand
Patrick Haggren, his wife Haggren Robert Dand
GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Concord* Court for the County aforesaid, on the

fourteenth day of June next at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Henry Ann Boyd is*

Plaintiff and *Ebenezer Boyd* Defendant on the

part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court with the Seal thereof hereto affixed, at office this

29th day of *April* A. D. 1859

Elias F. Honey Clerk.

Worcester County
June 1859

Henry Ann Boyd

Clement (Boy)

for Mr
Walter Boyd
Mark Boyd
Walter Alexander

Pat. Sawyer

bro. H. Sawyer

Robt. Cannon

John Jones

May the 27th 1859
the within seen
ed on all of the
which, by selling
the same to them
in Granbelling
Co & been bought
of Prairie
Association
Granbelling Co
also

1859
11-2-27
11-2-27
11-2-27
COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

vs
The State of *Washington Boyd Martin Alexander*
Patrick Stephens, his wife & Robert Dand
John Dand
GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Severall* Court for the County aforesaid, on the

fourteenth day of June next at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Henry Ann Boyd* is Plaintiff and *Emmett Boyd* Defendant on the part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court with the Seal thereof hereto affixed, at office this

29th day of *April* A. D. 1859

Elias F. Honey Clerk.

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To Francis H. Hickman. *Alleg. & appears Resp. Boyd*

George J. Boyd & Son GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Law suit*

doe te with day of June next at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Henry Ann Boyd is*

Plaintiff and *Francis Boyd is* Defendant on the part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court with the Seal thereof affixed, at office this

29 day of *April* A. D. 185 *9*
Elias F. Honey Clerk.

I executed the within Spec in the County of
 Jefferson on Mrs Bond by reading the same within
 her presence and hearing on the 14th day of June
 1839
 Bond Peter Sheriff

To Circuit Court
 June term 1839

Mary Ann Bond

Elemeel Bond

for Dth

Francis W. McLean

Alley Chapter

Miss Bond

Geo. J. Bond

John L. Bond

Sherriff for \$1.50

called the 27th of 1839
 the within named
 person to be
~~the within named~~
 by attending to
 sell the same to
 him & him when
 attending - being
 of the same
 which when bought
 of said person
 in Franklin
 County Mo

THE STATE OF MISSOURI,

COUNTY OF JEFFERSON.

To *Edw. Wilson Jr. Wilson & Co. the said Duncan & Frank
Jest, and Huntington & Co. & Co. & Co. & Co.*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you
appear before our *Circuit* Court for the County aforesaid, on the
Eleventh day of June next at Hillsboro, then and there
to testify, and the truth to say in a certain matter of controversy, now pending in our said
Court, wherein *Henry Ann Berg & Co.*
Plaintiff and *Emmanuel Berg & Co.* Defendant on the
part of *defendant* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court
with the Seal thereof hereto affixed, at office this

29th day of *April* A. D. 1859
Elias F. Honey
Clerk.

I executed the within Spec in the County of Jefferson
State of Mo on Ephraim Wilson Jr & Elizabeth Wideman
by reading the same within their presence and hearing
on the 23 & 24 day of May 1859 Bonaparte Dover

To Bonaparte Dover
June 1859
May 1859
Clement Perry
for doct
Eph. Wilson Jr
Melon do, Duncan
Frank. Smith
and Hearing
Elizabeth Wideman
Sherriff fee \$2.50

I executed the within Spec in the County of
Jefferson State of Mo on Wilson Jr Duncan &
Frank. Frost by reading in their presence and
hearing on the 11th day of May 1859 and on same
hearing on the 2nd day of June 1859
Bonaparte Dover Sheriff

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To *Mrs Henderson. Mrs McRoy. Elizabeth Duncan*

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Verend* Court for the County aforesaid, on the

fourteenth day of June next at Hillsboro, then and there

to testify, and the truth to say in a certain matter of controversy, now pending in our said

Court, wherein *Henry John Berg et al* is

Plaintiff and *Clement Berg et al* Defendant on the

part of *defendant* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court with the Seal thereof hereto affixed, at office this

29th day of *April* A. D. 185*9*
Elias F. Honey
Clerk.

I executed the within Spe in the County of
Jefferson State of Mo on William McKay by
reading the same within his presence and hearing
on the 24th day of May 1859 Bonaparte Dover

to be read
June term 1859

Henry Ann Boyd

Emmanuel Boyd

for debt

Wm Hendrickson

Wm McCoy

Elizabeth Duncan

Sheriff Geo H 1855

I executed the within Spe in the County of Jefferson
State of Mo on Elizabeth Duncan by reading it
within her presence and hearing on the 11th day
May 1859 Oscar Davis Sheriff
Wm Hendrickson not found within my County

COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

TO *John Duncan, Elizabeth Duncan Michael*
McCoy Ephraim Wilson Lane

GREETING:

You are hereby commanded, that setting aside all manner of excuse and delay, you appear before our *Circuit* Court for the County aforesaid, on the *fourteenth day of June next* at Hillsboro, then and there to testify, and the truth to say in a certain matter of controversy, now pending in our said Court, wherein *Henry John Boyd* Plaintiff and *Samuel Boyd* Defendant on the part of *Plaintiff* and herein you are in no wise to fail.

WITNESS, ELIAS F. HONEY, Clerk of our said Court with the Seal thereof affixed, at office this

29th day of *April* A. D. 185 *9*
Elias F. Honey
Clerk.

I executed the within Spa in the County of
Jefferson State of Mo on John Duncan & Elizabeth
Duncan by reading it within their presence and
hearing on the 11th day of May 1859.

Wesley Dyer Sheriff

To Forest Bank
June Term 1859

Henry Ann Boyd

Clarence Boyd

for debt

John Duncan

Elizabeth Duncan

Michael McRay

Edwin Wilson

Sheriff fee. \$2.00

I executed the within Spa in the County
of Jefferson State of Mo on Michael McRay
and Edwin Wilson, Senior, by reading the
same within their presence and hearing on the
23 day of May 1859
Wesley Dyer Sheriff