

Jefferson County Circuit Court  
Case File - C111

Box

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November 1867, No. 115

Johuson, Abraham

VS

Johuson, Therresa

Divorce

Married 17 March 1859; adultery  
with John O'Fallon

Abraham Johnson, Plaintiff } In the Circuit  
 Against } Court of Jefferson  
 Morrisa Johnson, defendant } County Missouri  
 Nov. Term 1867

The Plaintiff states that, on the 17<sup>th</sup> day of March 1839, in the County of Jefferson in the State of Missouri, he was lawfully married to the Defendant, - that he continued to live with Defendant as her husband, from and after the day and year aforesaid, until about the 7<sup>th</sup> day of July 1867; - That during all that time Plaintiff faithfully demeaned himself and discharged all his duties as the husband of Defendant, and at all times treated her with kindness and affection; but, that the Defendant, wholly disregarding her duties as the wife of Plaintiff, contracted habits of improper intimacy with one John O'Fallon, and finally, on the 7<sup>th</sup> day of July 1867, Defendant voluntarily quit the residence of Plaintiff and went to live with said O'Fallon in a state of adultery. Plaintiff therefore charges that the said Defendant has committed adultery since her marriage with Plaintiff as aforesaid; and that she has offered such indignities to Plaintiff, (by her unchaste conduct with O'Fallon as aforesaid) as to render his condition intolerable.

Plaintiff further states that he has resided with in the State of Missouri, one whole year next before the filing of this petition.

The Plaintiff therefore for the causes above alleged, prays to be divorced from the bonds of matrimony contracted as aforesaid with defendant,

and to make such further orders as may be  
just and proper.

A. Green & J. J. Williams,  
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 be-  
lief of the plaintiff, and that the Complaint is  
not made out of levity or by Collusion, fear or  
restraint, between the Plaintiff and the Defenda-  
ant, for the mere purpose of being separated  
from each other, but in sincerity and truth  
for the Causes mentioned in the petition,  
Sworn to and subscribed  
before me Oct 14<sup>th</sup> 1867

Elias T. Honey Clerk

By A. H. Stone Deft

A. Johnston

In Circuit Court  
Jefferson County

Abraham Jefferson

vs  
Theresa Jefferson

Petition for divorce

Let summary be

Wm. J. Little  
Couns. atty  
for S. J.

#3. 100 of 1877

Filed Oct 14 1877

Wm. J. Little  
Couns. atty  
for S. J.

THE STATE OF MISSOURI, }  
COUNTY OF JEFFERSON. } ss.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon *Theresa Johnson*

if she be found in your County, that  
she be and appear before the Hon. Judge of our Circuit Court, on the  
first day of the next term thereof, to be begun and held at the town of Hillsboro,  
within and for the County of Jefferson, on the ~~first~~ Monday after the  
~~fourth Monday~~ of November next, then and there to answer unto  
*Abraham Johnson*

upon *his* original petition, a copy whereof is hereunto annexed and  
accompanies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,  
with the seal thereof hereunto affixed, at office in Hillsboro, this  
*fourteenth* day of *October* A.D. 18*67*

*Elias F. Honey*  
Clerk Circuit Court.  
By *C. J. Stone Dep*

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JEFFERSON CIRCUIT COURT.

Nov Term, 1867

Abraham Johnson

vs  
Therisa Johnson

May 18<sup>th</sup> 1869 - *Therisa*

51703

Original

John Williams

Sheriff fees

\$1.00

I Executed this Writ in Jefferson County  
Missouri on the 17<sup>th</sup> Day of Oct 1867 By  
Delivering to Therisa Johnson a true copy  
of this Writ and Petition as furnished by  
the Clerk

John Williams Sheriff

Abraham Johnson, Plaintiff  
Against  
Theresa Johnson, Defendant

In the Jefferson  
Circuit Court,

Now at this day comes said defendant for answer to plaintiff's petition denies that she on 7<sup>th</sup> day of July 1867 or at any other time contracted habits of improper intimacy with one John O'Hallan - denies that she quit Plaintiff's home and went to live with said O'Hallan in a state of adultery - she denies that she has been guilty of the crime of adultery since her marriage with the Plaintiff. She therefore denies that Plaintiff has any just cause of complaint against her - or that he has any cause for divorce.

John L. Thomas  
Atty for Defendant.

William Johnson  
or

Sheepskin

Answer

Childs Nov 10<sup>th</sup> 1808  
Ed Honey Ct

Abraham Schuster Plaintiff } In the Circuit  
 against } Court of Jefferson  
 Therese Schuster Defendant } County Missouri  
 Nov-Term 1868.

The Plaintiff States that on the 17<sup>th</sup> day of March 1859, in the County of Jefferson in the State of Missouri, he was lawfully married to the Defendant that he continued to live with Defendant as her husband and from and after the day and year aforesaid until about the 7<sup>th</sup> day of July 1864, that during all that time Plaintiff faithfully demeaned himself and discharged all his duties as her husband, and at all times treated her with kindness and affection but that the Defendant, wholly disregarding her duties as the wife of Plaintiff, contracted habits of improper intimacy with one John O. Fallon, and finally on the 7<sup>th</sup> day of July 1864 Defendant voluntarily quit the residence and has absented herself without reasonable cause for the space of one whole year next before the filing of this Petition. O. Fallon in a State of Adultery - Plaintiff - Therefore charges that the said Defendant has committed Adultery since her marriage with Plaintiff as aforesaid and that she has offered such indignities to Plaintiff by her unchaste conduct with O. Fallon aforesaid as to render his condition in life intolerable.

Plaintiff further States that he has resided in the State of Missouri, one whole

Year, next before filing this his petition  
The plaintiff therefore for the Causes above  
alleged prays to be divorced from the bonds of  
matrimony contracted as aforesaid with Defend-  
ant and to make such further <sup>orders</sup> as may  
be just & proper  
Subs

Johnston & Williams  
Attys for Dff

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 by collusion, fear or restraint  
between the Plaintiff and the Defendant  
for the mere purpose of being separated  
from each other, but in sincerity and  
truth for the causes mentioned in the  
petition

Subscribed & Sworn to A Johnston  
before me this 10<sup>th</sup>  
day of Sept 1868,  
Chas H Honey G L K  
By Tho. Horne Deft

At the Jefferson Circuit Court

Abraham Johnston

vs  
Theresa Johnston

for Divorce

Filed Sept 10 1868  
at New York  
By C. W. Stone Clerk

Edw. P. S. S. S.

THE STATE OF MISSOURI, } SS.  
COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon

*Theresa Johnston*

if she be found in your County, that  
she be and appear before the Hon. Judge of our Circuit Court, on the  
first day of the next term thereof, to be begun and held at the town of Hillsboro,  
within and for the County of Jefferson, on the ~~Seventh~~ Monday after the  
fourth Monday of September 1868 ~~and~~, then and there to answer unto  
*Abraham Johnston,*

upon *his* original petition, a copy whereof is hereunto annexed and  
accompanies this writ, and have you then there this writ.

Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,  
with the seal thereof hereunto affixed, at office in Hillsboro, this

*Tenth* day of *September* A. D. 1868,

*Elias F. Honey*

By *Thos. Forner* Clerk Circuit Court.

2589

TO

JEFFERSON CIRCUIT COURT.

Term, 1868

Abraham Johnston

vs  
Theresa Johnston

Original

John Williams  
Sheriff fee \$1.00

Oct 21

I executed this writ in Jefferson County Mo, on the 21<sup>st</sup>  
day of October <sup>1868</sup> on Theresa Johnston by delivering to her a  
true copy of this writ and petition

John Williams Sheriff

COUNTY OF JEFFERSON.

The State of Missouri,

To Jack Rogers Richard Melanby & Arthur  
Hunt

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 18<sup>th</sup> day of May 1869

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

Arthur Hunt is

Plaintiff, and Richard Melanby 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 hereto affixed, at office

this 16<sup>th</sup> day of April A. D. 1869

Elias F. Honey

Clerk.

By J. H. Adams D. C.

# SUBPOENA.

To Jefferson Circuit Court.

May 1 Term, 1869

Abraham Johnston  
Meresa Johnston

For Plaintiff

Jacob Hager R Whalan  
J L Johnston &

Henry Fine

Served the within on the 19<sup>th</sup> day of April A D 1869, by reading the same  
within the presence and hearing of the within named J L Johnston at Jefferson  
County Mo, and in the same manner as above stated it was also served  
on Jacob Stanger within named on April 29<sup>th</sup> A D 1869. He  
said R Whalan and Henry Fine can not be served in my County

Fees \$ 1.50

For Court clerk or Clerk  
per Fred Johnson

Deputy

COUNTY OF JEFFERSON.

The State of Missouri,  
To *Wm. Parker*

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

*18th* day of *May* *1869*

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 *Abraham*  
*Johnston* is  
Plaintiff, and *Marion Johnston* 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 hereto affixed, at office

this *29* day of *April* A. D. 186*9*

*Elias F. Honey* Clerk.

*By August St.*

# SUBPOENA.

To Jefferson Circuit Court.

May Term, 1869

Johnston  
vs  
Johnston,

Attest  
Wm Parker

Served the within, on the fourth day of May, by reading the same  
to the within named He who pastor, and in his presence and Henry  
at Jefferson County Mo ~~the 4th day~~

Wm Parker

Henry

COUNTY OF JEFFERSON,

The State of Missouri,

To

Marion Sanders,

YOU ARE HEREBY COMMANDED, That setting aside all manner of expense and delay, you appear before our Circuit Court for the County aforesaid, on the

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

Plaintiff and

Defendant, on the part of

fail.

Witness, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office

this day of May A. D. 1869

Clerk

On & Attest

# SUBPOENA.

To Jefferson Circuit Court.

May Term, 1869  
Johnston  
vs  
Johnston,  
Divorce  
gr. Ref.  
N. Landers

Served the within, on the 12<sup>th</sup> day of May, A.D. 1869, by ~~riding~~ <sup>riding</sup> the same to the within named W. Landers at Jefferson County Mo.

Test Subscribed and sworn to  
at St. Louis, Mo.  
Jas. Good (Notary)

Depot

The State of Missouri,

COUNTY OF JEFFERSON,

To

John W. Cherry,

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

of May 1869 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

Plaintiff, and

vs. Mervin Johnson

Defendant, on the part of

fail.

Witness, ELIAS F. HONEY, Clerk of our said

Court, with the seal thereof hereto affixed, at office

this 13 day of May A. D. 1869

E. F. Honey

Clerk.

By J. W. Cherry, D. C.

2589

## SUBPOENA.

To Jefferson Circuit Court.

May Term, 1869

A Johnston  
v  
Theresa Johnston  
for Plaintiff  
John W McCree

Served the same this 13<sup>th</sup> day of May a D 1869, by reading the same to  
the within named John W McCree  
per ss

Read and every or Sheriff  
per A Johnston

Deputy

A. Johnson  
2  
Theresa Johnson }

Defendant moves the Court to rule the Plaintiff to give security for costs in this Cause for the following reasons.

1. Plaintiff is a non resident of this State.
2. Plaintiff is insolvent & unable to pay costs,  
Thomas  
for deft.

A. Johnson

2

Theresa Johnson

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Mother to rule & ~~the~~  
to give security for  
Costs.

Wiles Dec 13<sup>th</sup> 1867  
E. H. Young & Co

Abraham Johnston  
vs  
Johnston

Defendant moves the Court  
to dismiss this case for the following  
reasons.

Because Plaintiff has not filed a  
bond for costs as required by the order  
of this Court.

Thomas

Atty for Defendant

Johnston  
2

Johnston

Notion to advance

case.

order May 14<sup>th</sup> 1868,

E. J. F. F. F. F.

enclosed