

Jefferson County Circuit Court
Case Files - Civil

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November 1867, NO. 125

Oberholzer, Mary by Next Friend
Williams, Joseph T.

vs.

Oberholzer, Otto T.

Divorce

Married 25 June 1867; abuse;
desertion

Mary Oberholzer } In the Circuit
Joseph J. Williams } Court of Jefferson
Her next friend } County Missouri
vs
Otto Oberholzer

Plaintiff states that on the 25th day of June 1867 in the County of Jefferson in the State of Missouri she was lawfully married to the Defendant - that Plaintiff continued to live with the Defendant as his wife from and after the day last aforesaid until the 27th day of September 1867, that during all that time the Plaintiff faithfully demeaned herself and performed all her duties as the wife of the Defendant but that Defendant wholly disregarding his duties as the husband of Plaintiff at divers times during said marriage used such indignities towards Defendant as rendered her condition intolerable that is to say said Defendant habitually abused and mistreated the Plaintiff and did on said 27th day of September 1867 use such violence towards Plaintiff as to endanger her life by cruelly beating

The Plaintiff with his fist, and did then on that-day abandon and leave Plaintiff and has not since returned. Plaintiff further says that she has resided within this State one whole year next before the filing of this petition, Plaintiff further states that said Defendant is seized and possessed of property of the value of one hundred and fifty-Dollars, Plaintiff says further that she was at the time of said marriage and now is the owner in her own right of the following Real & Personal Property, to wit, a dower interest of one third during her natural life of one hundred and eighty-acres of Land described as follows, to wit,

also eighty-acres of Land which Plaintiff owns as her own absolute property to wit

in Jefferson County Missouri also the following Personal Property, to wit, Two horses & a colt worth Two hundred Dollars Two wagons

worth one hundred Dollars, four

been worth one hundred & fifty Dollars
18 Sheep fifty-five Dollars Two Cows
fifty-Dollars, 20 hogs, household &
kitchen furniture, one mower

worth \$140.00 together with Farming
implements. Plaintiff prays the Court in
Consideration of the premises to be divorced
from the Bonds of ~~Marriage~~ Matrimony

Contracted as aforesaid with the Defendant
and that the Court will decree that the Defendant be divested of
all right & title which he may have in & to the property Real &
personal of said brought to the marriage as aforesaid and
such support & maintenance out of the
property of the Defendant & for such time
owned by Plaintiff & that title of the same be vested in
Plaintiff free from all claims of Defendant
as the circumstances of the parties
may require & to compel the Defendant

to give security for such Maintenance
And that the Court will make other &
further orders from time to time touch-
ing the premises as may be just & proper

Jos J Williams

Atty. for Plaintiff

Mary Oberholzer Plaintiff on oath says
that the facts stated in the above petition are
true according to the best knowledge & belief of
the Plaintiff & that the Complaint is not
made out of envy or collusion fear or
restraint between the parties but in
mere purpose of being separated but in
sincerity and truth for the purposes
mentioned in the petition

Mary Chesbrough

no.

1867

for Dances

1867

Chas. Chesbrough

1867

Received from
Chas. Chesbrough
19th Oct. 1867

Mary Chesbrough
1867

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 *Otto Oberholzer*

if he be found in your County, that
he 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 *twelfth* Monday after the
fourth Monday of September 1867 ~~next~~, then and there to answer unto
Mary Oberholzer by her next friend

upon *her* 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. 1867

Elias F. Honey
Clerk Circuit Court.

By *C. J. Horne Deput*

Mo 125

TO

JEFFERSON CIRCUIT COURT.

Nov Term, 1867

Mary Oberholzer

Otto Oberholzer

original

John Williams
Sheriff

Oct 19 1867

I Executed this Writ in Jefferson County upon
Otto Oberholzer on the 19th day of October 1867
By leaving a true copy of this writ and
Petition at his usual Place of abode with
a white Person of his family over the age
of fifteen years

John Williams Sheriff

By W W Horine Deputy