

Jefferson County Circuit Court
Case Files - CIVIL
September 1873 - No. 16

Wideman, Jennina

VS

Wideman, James L.

Divorce

With Depositions; abuse; desertion;
depositions from Phelps County

Box

31

Folder

30

Jemima Widenman Peff, } In the Jefferson
against } County Circuit
Jos. L. Widenman, Senr Deft } Court Sept-
Term 1873,

Plaintiff states, that on the day of - 18- in the County of Jefferson, in the State of 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 the - day of - 18- that during that time plaintiff faithfully demeaned herself, and discharged all her duties as the wife of defendant, and at all times treated him with kindness and affection. But the said defendant, wholly disregarding his duties as the husband of the plaintiff, - ~~absented~~ ~~himself~~ ~~without~~ ~~a~~ ~~reasonable~~ ~~cause~~ was guilty of such cruel or barbarous treatment as to endanger the life of the plaintiff.

✓ Plaintiff further states, that the defendant absented himself, without a reasonable cause for the space of one year.

Plaintiff further states that she has resided within this State

one whole year next before the filing of this petition.

Plaintiff further states that the said defendant is seized and possessed of real & personal estate to the value of three thousand dollars, and that she is wholly without the means of support and for the prosecution of this suit, the Plaintiff, therefore prays to be divorced from the bonds of matrimony contracted as aforesaid with the defendant; and that the court will adjudge to her such support and maintenance, out of the property of the said defendant, and for such time as the nature of the case and the circumstances of the parties may require, and, if necessary, compel the defendant to give security for such maintenance and to make such further orders, from time to time, touching the same, as may be just, and such other ^{orders or} judgments touching the premises as may be proper.

Jam. Byrnes
Att. for Plif.

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 the plaintiff, and that the com-
-plaint is not made out of levity
or by collusion, fear or restraint,
between the plaintiff and defendant
for the mere purpose of being sep-
-erated from each other but in
sincerity and truth, for the causes
mentioned in the petition.

Sworn to and subscribed
before me this 18th day
of July 1873,

W. S. Boyce Clerk
By C. M. Morine Depy

Jemima ^{her} Wideman
Mar 20

Jemima Wideman Puff,
against
Geo. L. Wideman Duff.

action for divorce

doane process

Jesse Byrnes,
att. for Puff

Filed July 18 1873
M. Boyce cl.

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 *Jas L Wideman*

if he be found in your County, that he be and appear before the Honorable 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 *Second* ~~Monday after the fourth~~ Monday of *September* next, then and there to answer unto

Femima Wideman

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

Witness, W. S. BOYCE, Clerk of our said

Circuit Court, with the seal thereof hereunto affixed, at office in Hillsboro, this *18th*

day of *July* A. D. 1873

W. S. Boyce Clerk Circuit Court.

By *W. H. Coome* Deputy.

I Executed the within summons and Petition
at the county of Jefferson state of Missouri
on the within named James L Wideman
by leaving a true copy of the original
as furnished me by said Clerk (with
at his usual place of abode the Lady of
of the house refusing to take it) laid it
on the bed on the 5th day of August 1873

J. B. Mass, Sheriff
By J. A. Williams Deputy

¹⁶
383-4

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

September TERM, 1873.

Jemima Wideman

vs

James L Wideman

For Divorce

Original

Sheriff fees \$1.00

Served Aug 5th

Jemima Wideman Plaintiff } In the Circuit Court
against } of Jefferson County
James L. Wideman Defendant } Mo. Jan'y Term 1873

Now at this day comes defendant with leave of court for answer to plaintiff's petition admits that on the day 18 in the County of Jefferson, in the State of Missouri he was lawfully married to plaintiff, admits that she continued to live with him until the

day of 18 - but denies that plaintiff during all that time plaintiff faithfully demeaned herself, and discharged all her duties as the wife of defendant, and at all times treated him with kindness and affection, denies that he the said defendant wholly disregarding his duties as the husband of the plaintiff was guilty of such cruel & treatment as to endanger the life of plaintiff defendant denies that he absented himself without a reasonable cause for the space of one year,

defendant denies that he is seized and possessed of real and personal property to the value of three thousand dollars, denies that plaintiff is wholly without the means of support and for the prosecution of this suit, defendant denies that plaintiff is entitled to a divorce, denies that plaintiff is entitled to support and maintenance out of the property of this defendant,

defendant denies that plaintiff is entitled
to any relief whatever, defendant having
fully answered ~~asked~~ to be discharged

James L. Mideman
Defendant

By John L. Thomas or his
attys,

Gemma Wideman

against

James L. Wideman

Answer of Deft

Filed Dec 10 1873

W. L. Boyce clk

County of Jefferson,

The State of Missouri.

To *Johann Williams Sarah Williams, Alfred Williams*
& *Mary Williams*

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 *17th day of January 1874* 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 *Jemima Wademan* is

Plaintiff, and *James L Wademan* is

Defendant, on the part of *Self* and herein you are in no wise to fail.

WITNESS, W. S. BOYCE, Clerk of our said Court, with
the seal thereof hereto affixed, at office, this *6th* day
of *January*, A. D. 1874.

Clerk.

W. S. Boyce
W. S. Boyce

Jemima Wideman
vs
James L Wideman

May 5 1874

Deft.

Isaac Williams 6
Sarah Williams 6
Alfred Williams ¹⁻²⁰ 6
Mary Williams 6
E. F. Foster 1-24
Mrs. Madison 1-22
Sheriff fees 2-00

Served to within 500, as the County of Jefferson State of Mo., in the
in the 6th day of July 1874 by hearing du prime in the
presence and hearing of. Isaac Williams, Sarah Williams
Alfred Williams & Mary Williams

D. B. May, Sheriff
By J. A. Williams Deft

County of Jefferson,

The State of Missouri.

To *Dr. A. Crull, Joshua H. Cerrington*
Lucinda Cerrington & Elizabeth Brinley

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 *17th day of January 1874* 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 *Jemima Wideman is*

Plaintiff, and

James L. Wickman is

Defendant, on the part of

and herein you are in no wise to fail.

WITNESS, W. S. BOYCE, Clerk of our said Court, with
the seal thereof hereto affixed, at office, this *6* day
of *January*, A. D. 1874.

Clerk,

W. S. Boyce
By C. H. Corwin Deput.

Jemima Wideman
vs
James S. Wideman

Jan 1 1874

Deft,

Dr A. Crull 6
Joshua Herrington ¹⁴⁶ 6
Lucinda Herrington
Elizabeth Pringle 6

Sheriff fees 2.00

Served to within the limits of the County of Jefferson State of Mo.
on the 6th day of Jan'y 1874 by reading the same in the
presence and hearing of Dr A. Crull, Joshua Herrington
and Elizabeth Pringle,

J. B. Moss Sheriff
By J. A. Williams Deft

County of Jefferson,

The State of Missouri.

To *Sol. B. Wilson, John Mayfield and
Mrs Nancy*

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 *17th day of June 1874* 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 *Jemima Wickman is*

Plaintiff, and *James L. Wickman is*

Defendant, on the part of *hers* and herein you are in no wise to fail.

WITNESS, W. S. BOYCE, Clerk of our said Court, with the seal thereof hereto affixed, at office, this *6* day of *January*, A. D. 1874.

W. S. Boyce Clerk.

By C. Ho. McComie Deft

Jemima Wideman
vs
Jas L Wideman

May 5 1874
Doff

37-20
S B Wilson 6
37-16
John Hayfield 6
Wm Hanvey 6

Sheriff fees 150

Served the within upon an account of Jefferson State of Mo.
on the 6th day Jan 1874 by reading the same in the
presence and hearing of S. B. Wilson, John Mayfield
& Wm Hanvey.

J. B. Mas, Sheriff

By J. F. Williams, Deft

Jerrina Wickman Plaintiff } In the Jefferson
against } County Circuit
James L. Wickman son Defendant } Court May Term
A.D. 1874. -

for amended petition
Plaintiff states, that on the — day
of — 18— in the county of Jefferson, in the
State of 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 the
— day of — 18— that during that time plaintiff
faithfully demeaned herself, and discharged
all her duties as the wife of defendant,
and at all times treated him with kindness
and affection; but the said defendant,
wholly disregarding his duties as the
husband of the plaintiff was "guilty of
such cruel and barbarous treatment as to
endanger the life of plaintiff" viz:

1st During the year 1868. defendant beat
plaintiff with his fist in the face and on
the head, knocking her down, bruising and
blackening her eyes, and causing her head
and face to bleed profusely =

2nd During the year 1869. defendant
jerked plaintiff, while sick, out of bed
by the hair of the head, and knocked her
senseless and left her lying on the floor =

3rd During the year 1872. on one occasion
defendant threatened, that ~~if~~ ^{after} he went over

and eat his supper he would come back and pull the "infernal old bitch" Wozew out, = plaintiff further states, that on said evening defendant came back and caught plaintiff and threw her head foremost onto the floor causing a large bruise on the forehead rendering her in a helpless condition, so much so that she had to be helped to bed; from which, she was unable to move for several days.

4th during the year 1873 defendant said that he wished he could see plaintiff hung to a tree until the buzzards would eat her up =

Plaintiff further alleges that defendant "has absented himself without a reasonable cause for a space of more than one year."

Plaintiff further states that she has resided within this state one whole year next before the filing of this petition.

Plaintiff further states that the said defendant is seized and ~~possessed~~ ^{of} personal and real estate to the value of three thousand dollars, and that she is wholly without the means of prosecuting this suit.

plaintiff therefore prays the court to ~~allow~~ be divorced from the bonds of matrimony contracted as aforesaid

with defendant, and that the court will adjudge to her a reasonable attorney fee, and such support and maintenance out of the property of said defendant, and for such time as the nature of the case and the circumstances of the parties may require and if necessary, compel the defendant to give security for such maintenance, and to make such further orders, from time to time touching the ~~premises~~ same as may be just; and such other orders and judgments touching the premises as may be proper

Jan Byrns,
att'y for P^l

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 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 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 this 2^d day of Feb }
A. D. 1874. }
F. H. Bacon Smith }
Notary Public }
her }
Jemima X Wideman }
Mark }
attest }
John C. Grant }
Notary Public }



Jimima Wickman,

vs
Geo L. Wickman, Jr.

Amended Petition;
action for divorce

Filed Sub 5 18/4
D. S. Boyce Clerk

NOTICE TO TAKE DEPOSITIONS.

James L. Alderman
Plaintiff

In the *County of* Court for

AGAINST

James L. Alderman
Defendant

the County of *Jefferson*
State of Missouri.

Defendant

TO THE ABOVE NAMED *Deft. or Jas. L. Thomas & Bro.* has
attorneys of record, — You are hereby notified, that depositions of witnesses to be
read in evidence in the above entitled cause, on the part of the *Plaintiff* will be taken at the
Office of H. T. Bacon, Senior, a notary Public, in
the Town of St James, Mo.
in the County of *Phillips,* and State of Missouri, on the *1st* day of *May,*

A. D. 18*77*, between the hours of eight o'clock in the forenoon and six o'clock in the after-
noon of that day; and that the taking of said depositions, if not completed on that day, will be continued
from day to day, at the same place, and between the same hours, till completed.

Service of the above notice is hereby acknowledged, and issue of
depositions, and all accretions as to time, waived.

Billsboro Mo, April 16th 1877
John L. Thomas & Bro.
attys for Deft.

James T. Burns
attys for Plaintiff

mentioned in the annexed notice

H. Bacon Smith

Notary Public

Pursuant to adjournment as above stated on the second day of May A. D. 1874, between the hours of Eight O'clock in the forenoon & Six O'clock in the afternoon at the same place mentioned in the notice for taking said depositions & not being able to complete the taking of said depositions, by reason of other important business on hand I adjourn the further taking of the same until Monday morning next, it being the Fourth of May 1874, then to be continued at the same place between the same hours mentioned in the annexed notice.

H. Bacon Smith

Notary Public

Pursuant to adjournment as above stated on the Fourth day of May A. D. 1874 between the hours of Eight O'clock in the forenoon & Six O'clock in the afternoon at the same place mentioned in the notice, for taking said depositions, the taking the depositions is continued as follows, viz.

Ques 2 When, where & with whom were you living in the years 1868 & 1869?

Ans. 2 I was living with my mother, the Plaintiff in this action, in Jefferson County

Ques 3 Where, if you know, was the Defendant living?

Ans 3 Most of the time, he was living in a cabin, in the same yard, with the Plaintiff & myself,

Ques 4 How far apart were the cabins in which the Plaintiff & Defendant each resided?

Ans. 4 About, I should think, one hundred yards.

Ques 5- What was the treatment of ~~Defendant~~ by the the Plaintiff by the Defendant in the years 1868 & 1869?

Ans 5- It was pretty rough. She was sick one morning in the bed, there was no one there, but Plaintiff, Defendant & myself. He (the Defendant) took her by the hair of the head & jerked her out on

the floor, I went to him & took him from her, he then took a butcher knife from a prep, & threatened to cut me, if I did went to touch him. She (the Plaintiff) layed there untill I put her on the bed. During those two ~~years~~ years he provided very little food & no clothing for her, that I know of.

Ques 6 Where were you living in the year 1872 -

Ans. 6 In the same place.

Ques 7 What was the treatment of the Plaintiff by the Defendant during that time?

Ans 7 On one occasion he threatened ^{that} after supper, he would pull the "infernal old bitch's" wozzen out, on the same evening, he came back, caught her & threw her, head foremost on the floor & kicked at her when she was down, but I do not know that he struck her, as both myself and a

brother, who is now dead, had hold of him, & put him out of the house & took from him a knife that he tried to cut brother with. Mother laid on the floor till brother & I put her on the bed, then we noticed that he head was hurt badley & she complain of her side. She was in bed some eight or ten days, as well as I can recollect.

Qu. 8

Was the Defendant guilty of such cruel & barbarous treatment, as to endanger the life of Plaintiff?

Ans. 8

He made several attempts, & I do not know, what he would have done, if we had not interfeered. He threatened to kill her. In the spring of 1873, when he left, he took every thing away & left her entirely unprovided for.

And further this deponent sayeth not.

Attest
A. Romo

Geo.
Jas. S. Wideman
mark

Subscribed & sworn to before
me, on the day, at the place &
within the hours first afore-
said.

H. Bacon Smith
Notary Public.

Nancy ~~St~~ Gronholt of lawful
age, being produced sworn &
examined on the part of the
Plaintiff deposed & said.

Ques. 1 Are you acquainted with
Jemima Wideman & James L
Wideman Sr. if so when and
where?

Ans. 1 They are my Parents and
I have known them all my
life.

Ques. 2 Where were you living in
the year 1867 & with who?

Ans. 2 I was living in Jefferson
county, with my husband,
John C. Gronholt.

Ques 3 How far from where the
Plaintiff & Defendant lived?

Ans. 3 About half a mile.

Ques 4 What was the treatment
of the Plaintiff, by the Defendant,
at that time.

Ans 4 one day she came to

22

my house with her face very much bruised, her eye was blackened & her nose was bleeding, as though she had been struck with a fist. She stayed there, I think, at that time, three weeks - & afterwards I accused the Defendant of striking my mother the Plaintiff & he said he only slapped her, in the face, at that time.

Ques 5 - Was the Defendant guilty of such cruel & barbarous treatment as to endanger the life of the Plaintiff?

Ans. 5 - I should think he was.

Ques 6 - Was his treatment such as to render her condition intolerable?

Ans 6 - It was.

And further this deponent sayeth not.

Wm J. Grosholt

Subscribed & sworn to before me, on the day, at the place & within the hours

first aforesaid

H. Bacon Smith

Notary Public

James L. Wideman Jr. of lawful age, being produced, sworn & examined on the part of the Plaintiff, deposes & saith

Ques. 1

Are you acquainted with Jimina Wideman & James L. Wideman Sr. if so when and where?

Ans. 1

They are my Parents and I have known them all my life.

Ques 2

Where were you living in 1867-1868 & 1869-?

Ans. 2

Most of the time in 1867 & 1869 I was on the place, on which they, lived in Jefferson County Mo. & most of the time 1868 I was away from there.

Ques 3

What was the treatment of the Plaintiff, by the Defendant at that time?

Ans 3

He was very abusive, I have seen him pull her hair, & at one time, I heard

him threaten to choke her to death.

Ques 4 - Was the Defendant guilty of such cruel & barbarous treatment as to endanger the life of the Plaintiff?

Ans 4 - Yes, I thought so.

Ques 5 - Was the treatment of the Defendant such as to render the life of the Plaintiff intolerable?

Ans 5 - Yes.

And further, this deponent sayeth not.

James J. Wideman^{Jr}

Subscribed & sworn to before me, on the day, at the place & within the hours first aforesaid.

J. A. Bacon Smith

Notary Public

I, J. A. Bacon Smith a Notary Public within & for the County of Phelps, in the State of Missouri, do certify that, in pursuance of the annexed commission & notice, came before me, at my office in the town of St. James

in the county & state last a-
foresaid Isaac F. Wideman,
Nancy Gronholt and James L.
Wideman, who were by me
severally sworn to testify the
whole truth of their knowledge
touching the matter in con-
troversy aforesaid; that they
were examined, & their exam-
ination reduced to writing, &
subscribed by them, respectively,
in my presence, on the day,
between the hours, & at the
place in that behalf first
aforesaid, & their said deposi-
tions are now herewith re-
turned.

Given at my office, in
the town of St. James, in
the county of Phelps &
State of Missouri, on this
the 4th day of May A.D. 1874
H. Bacon Smith
Notary Public

CERTIFICATE.

(Wag. Stat., Page 526, Sec. 22).

STATE OF _____ }
County of _____ } ss.
I, _____

do certify
that in pursuance of the annexed _____ came before me at
_____ in the County and State last aforesaid.

who w _____ by me _____ to testify the whole truth of
_____ knowledge touching the matter in controversy aforesaid; that _____ w _____ examined
and _____ examination was reduced to writing and subscribed by _____
_____ in my presence, on the day, between the hours and at the place in
that behalf first aforesaid, and _____ said deposition _____ now herewith returned.

Given at _____, in the County of _____, State
of _____, this _____ day of _____ 187 _____.

Fee

for Notary	
3- Affidavits	.15-
Certificate & seal	.50
1275- Bonds	1.27
patage	1.92
Notarials	2.07
James A. Brideman	
for 3 days	1.50
Nancy Greenhall	
for 1 day	.50
James A. Brideman	
for 1 day	.50
	<u>2.50</u>

The Wheeler & Flett Printing and Lithographic Co., Hannibal, Mo.

In the _____ Court,
County of _____
State of _____

_____ Plaintiff
vs.
James A. Brideman Defendant

DEPOSITION OF
James A. Brideman &
Nancy Greenhall
FOR THE
Plaintiff

Filed May 12th 1874
W. J. Boyce Clerk.
By _____ Deputy.

Jemima Wideman } In the circuit
against } court of Jefferson
James L. (Wideman) } County Mo
May Term 1874.

Now at this day comes
the above named plaintiff by
her attorney and moves the
court for judgment in the
above cause for the following
reason viz:

1st Because ~~plaintiff~~ ^{defendant} has failed
to answer the allegations of
plaintiff's petition;

2nd Because defendant has failed
made default in filing answer
as ordered by the court.

James P. Dyer
attorney for ~~plaintiff~~

Junia Wideman

¹⁰⁰
Geo L. Wideman Jr

Motion for Judgment

Filed May 13 1874
W.S. Boyce
clerk