

St. Louis Circuit Court
Case Files - Civil
February Term 1868, No. 7994

Box 269 Folder 14

16 images

Applebury, Mary S.

v.

Applebury, Doctor Rush

Divorce

Plaintiff by next friend David W. Foster; married 21 June 1866;
abandoned, defendant moved to Chicago, Illinois; 21 March 1867
gave birth; \$100 per month child support, alimony & maintenance

Plaintiff attorney: Sharp, Fidelis C.;
Broadhead, James D.

COUNTY OF ST. LOUIS, -ss.

The State of Missouri,

To the SHERIFF OF ST. LOUIS COUNTY, Greeting:

We command you to Summon

David Wash Applebury

to appear before the Judges of our Circuit Court on the First day of the next Term thereof to be held in the City of St. Louis, within and for the County of St. Louis, on the First Monday of *February* next then and there to answer the complaint of *Mary S. Applebury* by her next friend *David W. Foster*

as set forth in the annexed petition: and have you then and there this writ

John Lewis
Witness, FRANK A. H. SCHNEIDER, Clerk of our said Court, with the seal thereof heretofore affixed, at office, in the City of St. Louis, this *15th* day of *December* in the year of our Lord, eighteen hundred and sixty *seven*

Frank A. H. Schneider
Clerk.

I acknowledge myself bound for all costs that may accrue in the case of _____ against _____

Witness my hand and seal at St. Louis, this _____ day of _____ 186



COMPTON & CO. PRINTERS

Mrs. J. H. Applebury of New residence, No. 38 1/2 S. 3d St.
Mch. 9/68. Cash of Rush Applebury, \$1.50
James H. Applebury of St. Louis, Mo. 12/18
Mch. 9/68. Cash of James H. Applebury, \$1.50
Mch. 9/68. Cash of James H. Applebury, \$1.50
Mch. 9/68. Cash of James H. Applebury, \$1.50

122
No. 2

Circuit Court of St. Louis County.

Mo. Term, 1868

Mary J. Applebury

vs
James H. Applebury

Jan 3

Debt for Applebury

Chicago 1868

vs
James H. Applebury

Jan 1 1868

James H. Applebury

1868

1.50
Copies for Clerk
aty
Paid.

Rush Applebury cannot be found in my County
Jan 31 1868
N.E. 50 Cts
John McNeil Sheriff
By P. Bischoff

14.10
3.50
11.75

L 14-10
 No 05
 \$ 3.00
 17-75

Such Exhibitory cannot be found in my County
 John Sheppard clerk
 By M. B. Schickoff &
 May 31st 1868
 No. 56 Co.

No. 2

Circuit Court of St. Louis County

Sept. 1868
 Mr. J. A. Phelps
 Plaintiff
 vs
 David S. Phelps
 Defendant
 City of St. Louis
 Chicago Ill.
 In Case of
 Phelps vs Phelps
 Dec. 11th of Dec. 1867
 W. H. Phelps
 Clerk of the Court
 180
 3.00
 Paid

Mich 7/68 Affidavit of non residence filed 3/8/68
 Mich 9/68 Order of Subpoena - Republican 3/8/68
 June 2/68 Afft. of Pub. filed 3/14/68 June 12/68
 default regarding custody of Grace Phelps
 not appearing, and being of minor age, with custody
 of child and alimony of \$1000

COMPLA OF CU. YORK - C

Mary S. Applebury
By her next Friend
Davis W. Foster - Plaintiff

vs
Doctor Rush Applebury - Defendant
In the St. Louis Circuit Court
February Term 1868

Plaintiff states that herebefore to wit on
the 21st day of June 1866 - she was
intermarried with Defendant in the
City of St. Louis Missouri, where she
had resided for some years and where
she still resides - that for the period of
four months ^{she & Defendant} they lived together
as man and wife, that nothing occurred
during that period to disturb the relations
existing between them - and she says
that during the whole of that time
she conducted herself as an affectionate
and dutiful wife - But she says that
on the first of November 1866 the
said Defendant without any reason-
able cause and without any cause
whatever that she is aware of
abandoned her and took up his abode
elsewhere in the City of St. Louis, and
after remaining in St. Louis some

months absent from her, afterwards removed from St. Louis to Chicago where he now resides, - having left her in St. Louis unprotected for -

Your petitioner therefore alleges that since the first of November 1846 and for a period of more than one year, ^{before the institution of this suit} the said defendant has absented himself from her without a reasonable cause -

She therefore prays that she may be divorced from the bonds of matrimony heretofore contracted with the said defendant -

Your petitioner further states that since her marriage with defendant to wit on the 21st day of March 1847. She gave birth to a child, the result of her said marriage with defendant - and she asks that the custody of said child may be decreed to her - she says that defendant was in good circumstances at the time he abandoned her - and she asks that the sum of one hundred dollars per month, or such other reasonable sum as the Court may

determine may be allowed her
for alimony & maintenance and
for the care, custody & maintenance
of her said child

Sharp & Broadhead
Attys for Pettr

State of Wisconsin
County of St. Louis:

Mary S. Applebury
being duly sworn on her oath states that
the foregoing petition and the facts
therein stated she believes to be true -
~~affiant further states~~ and that
according to her best knowledge &
belief they are true - ~~affiant further~~
states that the foregoing complaint
is not made out of envy or by
collusion fear or restraint between
her and defendant, for the mere
purpose of being separated from
each other, but in sincerity and in
truth for the causes mentioned in
the foregoing petition -

Mary S. Applebury.

Subscribed and sworn to before
me this the 10th day of Dec 1867.

Geo. J. Smith
Notary Public St. Louis.

St. Louis Circuit
Docket
Filed: Term 1848

vs
Mary S. McHenry
Pl.

vs
Acme Bank of Mo.
Def.

Answer

Filed Dec 11, 1847

James C. M.

James McHenry
Att.

COUNTY OF ST. LOUIS, -ss.

The State of Missouri,

To the SHERIFF OF ST. LOUIS COUNTY, Greeting:

We command you to Summon

Richard Rush Appenburg

to appear
before the Judges of our Circuit Court on the First day of
the next Term thereof to be hold in the City of St. Louis,
within and for the County of St. Louis, on the First Monday
of *February* next then and there to answer the
complaint of *Mary S. Appenburg by her
next friend
David W. Foster*

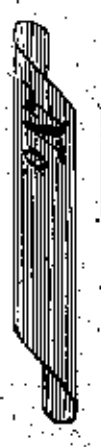
as set forth in the annexed petition: and have you then and there
this writ

John Lewis
Witness, FRANK A. H. SCHNEIDER, Clerk of our said Court, with
the seal thereof hereto affixed, at office, in the City of St. Louis,
this *11* day of *Dec* in the year
of our Lord, eighteen hundred and sixty *Seven*.



John Lewis
FRANK A. H. SCHNEIDER, Clerk.

122



Circuit Court of St. Louis County.

W. B. Lewis
Term, 1868

Copy of *W. B. Lewis*

Clock.

Mary I. Appleberry by her next friend David W. Foster }
vs } plaintiff } Circuit Court
Doctor Rush Appleberry, defendant } February Term 1868

Plaintiff states that heretofore to wit on the 21st day of June 1866 she was intermar-
ried with Defendant in the city of St. Louis Missouri where she had resided for
some years and where she still resides, that for the period of four months
she & Defendant lived together as man and wife that nothing occurred during
that period so disturb the relations existing between them, and she says that du-
ring the whole of that time she conducted herself as an affectionate & dutiful
wife. But she says that on the first November 1866 the said defendant with-
out any reasonable cause and without any cause whatever that she is aware
of abandoned her and took up his abode elsewhere in the city of St. Louis and
after remaining in St. Louis some months absent from her afterwards removed
from St. Louis to Chicago where he now resides having left her in St. Louis
unprovided for. Your petitioner therefore alleges that since the first of Novem-
ber 1866 and for a period of more than one year before the institution of this
suit the said defendant has absented himself from her without a reasonable
cause. She therefore prays that she may be divorced from the bonds of matrimony
heretofore contracted with the said defendant.

Your petitioner further states that since her marriage with defendant to
wit on the 21st day of March 1867 she gave birth to a child the result of her
said marriage with defendant and she asks that the custody of said child
may be decreed to her - she says that defendant was in good circumstances
at the time he abandoned her and she asks that the sum of one hundred dollars
per month or such other reasonable sum as the Court may determine may be
allowed her for alimony & maintenance and for the care, custody & maintenance
of her said child.

Sharp & Broadhead
Attys for Plff.

Mary J Applebey by her next friend David W. Foster in the St. Louis
vs. plaintiff } Circuit Court
Doctor Rush Applebey, defendant } February Term 1868

Plaintiff states that heretofore to wit on the 21st day of June 1866 she was intermar-
ried with Defendant in the City of St. Louis Missouri where she had resided for
some years and where she still resides, that for the period of four months
she & Defendant lived together as man and wife that nothing occurred during
that period so disturb the relations existing between them, and she says that dur-
ing the whole of that time she conducted herself as an affectionate & dutiful
wife. But she says that on the first November 1866 the said defendant with-
out any reasonable cause and without any cause whatever that she is aware
of abandoned her and took up his abode elsewhere in the City of St. Louis and
after remaining in St. Louis some months absent from her afterwards removed
from St. Louis to Chicago where he now resides having left her in St. Louis
unprovided for. Your petitioner therefore alleges that since the first of Novem-
ber 1866 and for a period of more than one year before the institution of this
suit the said defendant has deserted himself from her without a reasonable
cause. She therefore prays that she may be divorced from the bonds of matrimony
heretofore contracted with the said defendant.

Your petitioner further states that since her marriage with Defendant to
wit on the 21st day of March 1867 she gave birth to a child the result of her
said marriage with defendant and she asks that the custody of said child
may be decreed to her - she says that defendant was in good circumstances
at the time he abandoned her and she asks that the sum of one hundred dollars
per month or such other reasonable sum as the Court may determine may be
allowed her for alimony & maintenance and for the care custody & maintenance
of her said child.

Sharp & Broadhead
Attys for P.P.F.

State of Missouri }
County of St. Louis }^{ss}

Mary J. Appleberry being duly sworn on her oath states that the foregoing petition and the facts therein stated she believes to be true and that according to her best knowledge & belief they are true. Affiant further states that the foregoing complaint is not made out of levity or by collusion fear or restraint between her and defendant for the mere purpose of being separated from each other but in sincerity and in truth for the causes mentioned in the foregoing petition

Subscribed & sworn to before me }
This the 10th day of Dec. 1867 }

Mary J. Appleberry

E. Seal

Thos. P. Smith

Notary Public St. Louis Mo

A True Copy
Attest
Wm. H. Kirk
clerk

Mary S. Appleberry - Plaintiff
vs
Doctor Rush Appleberry, Defendant

In Honor Circuit Court
St. Louis County, Mo.
July Term A.D. 1868-

David W. Foster, of the City and
County of St. Louis and State of
Missouri in his oath states, that
he has good reason to believe and
does believe that the said defen-
dant, Doctor Rush Appleberry, is a
former President of the State of Mis-
souri - being a resident of the City
of Chicago - State of Illinois -
David W. Foster

Subscribed and sworn to before
me this 10th day of March
A.D. 1868-

J. S. Smith -
Notary Public
St. Louis Mo

No 7994 - 202
Circuit Court
Thomas County

Mary J. Williams
vs
John R. Williams

Plaintiff
vs
Defendant

Filed July 1, 1888
Geo. Lewis, Clerk

James B. Williams
Attorney for Plaintiff

1888

Mary S. Appleberry - No 7994
Doctor^{ry} Rush Hoctor } July 1868

Order of publication granted
by the Court on application of
the witnesses of D^o -
Mar 9/68
J. W. G. G. G.
Atty for D^o

STATE OF MISSOURI,
COUNTY OF ST. LOUIS.

Personally appeared before the undersigned, a Notary Public, within and for the said County of St. Louis, HENRY G. PASCHALL, who, being duly sworn, deposed and said that the annexed advertisement was published in the "MISSOURI REPUBLICAN," a newspaper printed and published in the City and County of St. Louis, State of Missouri, of which he is printer, for three times, the first insertion being on the twelfth day of March 1868 and the last insertion on the twentieth day of April 1868, as follows:

1868
12
19
26
29

March
" April
" "

No.
71
78
85
92
99

Sworn to and subscribed before me, this twentieth day of April 1868

Henry G. Paschall

IN TESTIMONY WHEREOF, I have herewith set my hand and affixed my Notarial seal, at office, in St. Louis, the day and year last above written.

Notary's Fee, _____
\$ _____ 50

W. G. Johnson
Notary Public, St. Louis County, Mo.

IN THE CIRCUIT COURT OF ST. LOUIS
COUNTY - February Term, 1868, Monday, March 8th, 1868. Mary A. Applebury by her next friend, David M. Foster vs. Doctor Bush Applebury. It appearing to the Court from the affidavits filed therein that the defendant is a non-resident of this State, on motion of the plaintiff by her attorney, it is ordered that said defendant be notified that a civil action has been commenced against him, the object and general nature of which is to obtain a decree of divorce from the bonds of matrimony existing between said defendant and the plaintiff, on the ground that he has absented himself from the plaintiff for the space of more than one year without reasonable excuse, and unless he appear at the term of this court to be begun and held at the City of St. Louis, within and for the county of St. Louis, on the FIRST MONDAY OF JUNE NEXT, and/or before the third day thereof, answer the plaintiff's petition, his name will be taken against him as confessed. And it is further ordered that a copy hereof be published according to law in the Missouri Republican, a newspaper printed and published in the city of St. Louis. A true copy from the record.

Witness my hand and the seal of the Circuit Court of St. Louis county, this 10th day of March, 1868.
J. N. LEWIS, Clerk
MARK & BROTHERS, Attorneys for Plaintiff.

7994

Applesbury

Applesbury

Apparatus

Publications

Filed June 3rd 1888

Proctor's
Clerk

No fee charged

Thos. W. Bush

attys for Poff

Territory of New Mexico

The Effect of Music Upon

... written in one of his country's papers...

thus notes the effect of music on cows...

... in the neighborhood a flower show was held...

... from a field where several cows were grazing...

... the band began to play, the cows, which were at...

... considerable distance, simultaneously ceased gra...

... and came up toward the lawn, standing in a...

... row, with their heads stretched over the railings, in...

... stantly watching the band, apparently with the great...

... est interest and astonishment. When the band...

... ceased playing, they moved away to a distance...

... where they could graze undisturbed by the crowd...

... but always returned and watched the band when...

... resumed playing, with the same apparent interest...

... and absorbed attention. Of course, allusions to the...

... show and the beasts were plentiful among the con...

... party. The cows certainly seemed the most attentive...

... part of the audience, and the effect of a row of these...

... mated cows, with heads over the railings, was ve...

... noticeable.

7994

Depart June
19/68 - Chap B
J. P. P.