

Description: Divorce, 1861, Margaret A. Osborn vs. Simeon P. Osborn
Connecticut Superior Court, Litchfield Co., Divorce Papers 1752 - 1922

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Margaret McArthur

1911

Wm. P. McArthur

Bill in Form

Sectetfield County, Superior Court
April Term A.D. 1861-

Upon the Petition of Margaret A. Osborn of Woodbury in Sectetfield County, showing that on the 10th day of June A.D. 1843, she was lawfully married to Simon D. Osborn of said Woodbury with whom the Petitioner lived in the performance of all the ~~said~~ ^{said} duties of the marriage covenant on her part to be performed, until on or about the 1st day of August A.D. 1860, when the Respondent wilfully deserted the Petitioner, and continued his ^{said} desertion with total neglect of all the duties of the marriage covenant on his part to be performed from thence hitherto; and further showing that said Respondent for more than six years last past has been and now is habitually intemperate; And further showing that said Respondent for more than six years last past has been continually guilty of intolerable cruelty towards the Petitioner; And further showing that said Respondent for a period of more than six years last past has been guilty of such misconduct as permanently destroys the happiness of the Petitioner, and defeats the purposes of the marriage relation; And further showing that she has five minor children the issue of said marriage, viz: - William M. Osborn, Charles Osborn, Isabella Osborn, Rollin Osborn and Helen Osborn; And further showing that the Respondent is worth two hundred dollars; Praying the Court to inquire into the truth of the allegations aforesaid, and on finding them true to grant her a divorce, award the charge and custody of said minor children to her, and grant her alimony, pursuant to the statute in such ^{case} ^{as by} ^{petition on file} ^{dated the 20th day of March A.D. 1861, may more fully appear; And} ^{the said Simon D. Osborn having been three times publicly} ^{made default of appearance; and} ^{this Court having inquired into the facts stated in} ^{said petition, find them to be true; and therefore}

It is therefore ordered and decreed, that the marriage relation heretofore subsisting between said Simon D. Osborn and Margaret A. Osborn is hereby dissolved, and the said Margaret is hereby declared to be sole, single and unmarried. It is further ordered and decreed, that the charge and custody of said minor children be awarded to said Margaret till they severally arrive at the age of twenty one years. It is further ordered and decreed, that there be allowed to said Margaret as alimony out of the estate of said Respondent one ^{common} ⁱⁿ ^{said} ^{Margaret's} ^{possession}, and all the ^{household} ^{furniture} ^{of} ^{every} ^{kind} ^{now} ⁱⁿ ^{her} ^{possession} together with her bed, bedding and wearing apparel.

By the Court

William L. Ransom
Clerk

Litchfield County p Woodbury 21. day of March
 A.D. 1861 Then I made service of the within
 and foregoing Petition and Citation by reading
 the same in the hearing of and by leaving to
 try and attempted copy being with
 Simon D. Osborn the Overseer of
 the within named Attent Henry Minor
Deputy Sheriff
 Attest Henry Minor
 Deputy Sheriff
 " 1 copy 42 cents " 25
 " 2.45

Margaret A. Osborn
 V.
 Simon D. Osborn
 Sup. Ct. Apr. 1. 1861.

Cothren

def. - 1st d. April
 Term 1861. Still
 granted & am.
 April 9th
 W. L. Ransom
 Clerk

7057

To the Hon. Superior Court, to be held at Litchfield in and for New Haven County, on the 2nd Tuesday of April A. D. 1861

The Petition of Margaret A. Osborn of Woodbury in New Haven County, humbly sheweth, that on or about the 10th day of June A. D. 1848 your petitioner was lawfully married to Simon D. Osborn of said

Woodbury with whom your petitioner lived in the performance of all the duties of the marriage covenant on her part to be performed, until on or about the 1st day of August A. D. 1860 when the said Respondent willfully deserted your petitioner, and has continued his said desertion with total neglect of all the duties of the marriage covenant on his part to be performed, from thence hitherto, and for a period of more than three years last past.

And your petitioner further shows that the said Respondent has at divers times during said period committed adultery with and with divers other persons your petitioner unknown.

And your petitioner further shows that the said Respondent for a period of a more than 2 1/2 year last past has been and now is habitually intemperate.

And your petitioner further shows that the said Respondent for a period of more than 2 1/2 years last past has been continually guilty of intolerable cruelty towards the petitioner.

And your petitioner further shows that the said Respondent for a period of more than 2 1/2 years last past has been guilty of such misconduct as permanently destroys the happiness of the petitioner, and defeats the purposes of the marriage relation.

And your petitioner further shows that she has five minor children, the issue of said marriage, viz Charles Osborn, Rollin Osborn, and Helen Osborn Wherefore your petitioner prays the Court to inquire into the truth of the allegation aforesaid, and on finding them true, to grant her a divorce, and award the charge and custody of said minor children to your petitioner, and order and decree that your petitioner's name be changed to that of Margaret A. Osborn pursuant to the statute in such cases provided.

Dated at Woodbury this 20th day of March A. D. 1861
Margaret A. Osborn
By attorney, William C. Osborn

To the Sheriff of New Haven Litchfield County, his Deputy, or either Constable of Woodbury in said County—GREETING.

BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to summon said Simon D. Osborn to appear before the Superior Court to be held at New Haven in and for New Haven County, on the 2nd Tuesday of April A. D. 1861, then and there to show cause if any he have, why the prayer of the foregoing petition should not be granted. Hereof fail not, &c.

Dated at Woodbury this 20th day of March A. D. 1861
William C. Osborn Justice of the Peace.

vs.

ORDER OF NOTICE.

State of Connecticut, } ss.
NEW HAVEN COUNTY, }

A. D. 18

Upon the Petition of the said Margaret A. Osborn praying for reasons therein set forth for a divorce, now pending before the Superior Court in and for New Haven County, to be held on the 2nd Tuesday of April A. D. 1861 It appearing to, and being found by, the subscribing authority, that the said respondent is residing in

and absent from this State—gone to parts unknown
Therefore, ordered, that notice of the pendency of said petition be given by publishing this order in the

a newspaper printed in Woodbury weeks successively, commencing on or before the 20th day of March A. D. 1861 by leaving a copy of said petition, citation, and order of notice, with the respondent on or before the 20th day of March A. D. 1861, by depositing a copy of said petition, citation, and order of notice, in the post office, postage paid, at Woodbury directed to said respondent, at Woodbury on or before the 20th day of March A. D. 1861

Clerk
of the Superior Court for New Haven County.