

Civil Case of Mary Rice vs Clement J. B. Rice- divorce

Mary Rice	Plaintiff; complaint for divorce	Oct. 11, 1907
Clement J. B. Rice	Defendant	
Mary Rice	Oath: married March 22, 1907; Def. abandoned Sept. 30, 1907	
Mary Rice	Oath: He drank; physically abused her; didn't pay rent	
Mary Rice	Oath: Clement was guilty of adultery with Nettie Mentzer	
Mary Rice	Oath: Def. returned after separation; broke in her house & threatened	
Mary Rice	Had one child: Chloe W. Rice born May 14, 1902	
Mary Rice	Asks for divorce, custody of child, alimony & child support	
J. W. Teeple	Attorney for Mary Rice	
Mary Rice	Plaintiff	Oct. 11, 1907
Clement J. B. Rice	Defendant; denies allegations of plaintiff	
Patterson & Moran	Attorneys for defendant	
Clement J. B. Rice	Summoned to answer to Mary Rice complaint for divorce & alimony	Oct. 11, 1907
Mary Rice	Plaintiff; filed complaint for divorce	
David Gerber	Clerk	
Paul Baumgartner	Deputy	
Mary Rice	Plaintiff	Oct. 29, 1907
Clement J. B. Rice	Defendant	
Jacob Hess	Summoned to testify on behalf of plaintiff	
Amanda Hess	Summoned to testify on behalf of plaintiff	
John Everett	Summoned to testify on behalf of plaintiff	
Henry Hile	Summoned to testify on behalf of plaintiff	
David Gerber	Clerk	
Mary Rice	Plaintiff	Oct. 30, 1907
Clement J. B. Rice	Defendant	
Abe Bash	Summoned to testify on behalf of defendant	
Daniel Weldy	Summoned to testify on behalf of defendant	
Ezra Cutting	Summoned to testify on behalf of defendant	
David Gerber	Clerk	

State of Indiana, Adams County, ss:

The State of Indiana, to the Sheriff of said County—Greeting:

You are hereby commanded to summon *Alb B. Bach**Daniel Waldy and Ezra Cutting*

to appear before the Judge of the Adams Circuit Court, on *Thursday* the *31* day
 of *October* 1907, being the *52nd* day of the present term
 of said Court, now in session at the Court House in Decatur, to testify in an action wherein

Mary Rice is Plaintiff, and

Elephant & B Rice Defendant,

on behalf of the *Dyrr*, and return this writ.

WITNESS, the Clerk of said Court, this *30th* day
 of *October* 1907.

Daniel Gubins Clerk.

Deputy.

State of Indiana, Adams County, ss:

The State of Indiana, to the Sheriff of said County—Greeting;

You are hereby commanded to summon *Jacob Hess*
Amanda Hess, John Ernest and Henry
Hile

to appear before the Judge of the Adams Circuit Court, on *Thursday* the *31st* day
of *October* 190*7*, being the *52nd* day of the present term
of said Court, now in session at the Court House in Decatur, to testify in an action wherein

Mary Rice is Plaintiff, and

Elevent J.B. Rice is Defendant,

on behalf of the *Petty*, and return this writ.

WITNESS, the Clerk of said Court, this *29th* day
of *October* 190*7*.

David L. Lusk Clerk.

Deputy.

State of Indiana, Adams County, ss:

State of Indiana, to the Sheriff of Adams County, Greeting:

You are hereby commanded to summon

Clement J. B. Rice

to personally appear before the Judge of the Adams Circuit Court, on the 22nd
day of October, 1907, the same being the 44th
judicial day of the September Term of said Court for the year 1907, at the
Court House, in the City of Decatur, in said county, to answer to the complaint of

Mary Rice
for divorce and
alimony Demand \$350.00

and of this summons make due service and return.

IN TESTIMONY WHEREOF, I have hereunto subscribed my
name, and affixed the seal of said Court, at my office, in
Decatur, this 11th day of October, 1907

David Gerber Clerk.
By Joel Baumgartner Deputy.

State of Indiana§§ In the Adams Circuit Court,
County of Adams§§ SS. September Term, 1907.

Mary Rice
vs.
Clement J B Rice

-----oOo-----

The defendant for his answer to the plaintiff's complaint,
answers and says, that he denies each and every allegation therein
contained.

Clement J B Rice
DEFENDANT

Peterson & Moran
ATTYS FOR DEFENDANT

State of Indiana, In The Adams
Adams County Circuit Court
September Term 1907

Mary Rice
vs
Clement J. B. Rice } Complaint for divorce

The plaintiff complains
of the defendant and says that they
were duly married on 22nd day of
March 1907 and lived together as
husband and wife until the
30th day of September 1907 and on
which ~~date~~ the defendant abandoned
and left this plaintiff and they
separated and have not lived
and cohabited together since
and are not now living
and cohabited together as husband
and wife this plaintiff says
that said defendant, before the
said separation was guilty
of cruel and inhuman
treatment on or about said
date he came home
drunk ^{and struck} this plaintiff with
his fist and also threatened
to strike this plaintiff
with his fist and
at various other times

when I would ask defendant
for money to pay rent
and living expense he
would curse and swear
at this plaintiff and
the last month plaintiff
was compelled to take
in washings to pay
rent that on the 5th
day of September and
at various other times
he was guilty of adultery
with Nettie Mentzer and
this plaintiff says that
about said date she
saw said defendant
carry a lot of beer to
the room of Nettie Mentzer
and that at another time
she seen defendant in
the alley with Nettie Mentzer
near the livery barn of
Boch & Rice. The plaintiff
further says that the defendant
on the night of the 6th of
October 1907 the defendant
came to the home of
this plaintiff and broke

into my room and
had a large open knife
in his hand and threatened
to cut plaintiffs heart
out and struck at plaintiff
~~and~~ with knife
and would of hit her
if plaintiff had not
struck defendants hand
with a broom stick
and knocked the
knife out of his
hand. The plaintiff says she
was compelled to clean
house and take in washing
to pay rent to Oct 13th 1907
also plaintiff has had to
pay for her groceries for
the past month by taking
in work, that defendant
is and was an able
bodied man and could
and did earn where
sober from \$1.50 to \$2.00
per day, that the defendant
came home at various
times drunk, that at the
time this plaintiff agreed
to marry defendant he promised

to keep sober and lead
a moral and virtuous
life and this plaintiff
relying on said promise
married said defendant
The plaintiff further avers
that of the fruits of their said
former marriage there were
born to plaintiff and
defendant one child whose
name is Chloe W. Rice who
was born on the 14th day of
May 1902. This plaintiff further
avers and says that said
defendant is not a fit and
proper person to have the care and
custody of said child, the plaintiff
asks for the care and custody
of said child. This plaintiff
says that she has no property
of her own except a few
household goods that she
asks the Court to award to her
that the defendant is the owner
of personal estate to the amount
of (\$100) dollars that his annual
income is at least (\$500) per
year wherefore plaintiff prays

and asks the Court that the
bonds of matrimony heretofore
existing between plaintiff and
defendant be dissolved that
plaintiff be granted a divorce
and that she be given the care and
custody of said Child and she
demands a judgment for
(\$350 Dollars) alimony and an
allowance of \$8 per month
for said Child and for all
other proper relief.

J. W. Keple Attorney for plaintiff

State of Indiana
Adams County &
Mary Rice
vs
Clement J. B. Rice

Mary Rice being duly sworn upon
her oath says that she is the
plaintiff in the above entitled
Cause of action, that she has
been a resident of the State of
Indiana for 27 years last past
and that for six years last
past she has been a resident
of the City of Decatur Indiana
said County, that she is by occupation
a housekeeper. Mary Rice

subscribed and sworn to before
me this 11th day of Oct 1907, J. W. Keple, N. J.