

Martha Henderson vs. John K. Henderson & Samuel Pickens, guardian, filed in Chancery Court Office, Sevier County, Tenn., 11 Aug. 1848; copied by J.A. Sharp, July 30, 1951

To the Honorable Thomas L. Williams Chancellor of the Eastern Division of Tennessee Sitting in chancery for the District composed of the County of Sevier.

Humbly complaining sheweth unto your Honor. Your oratrix Martha Henderson, who is now and has been a citizen of this state, and resided in the County of Sevier for more than one year, next before the exhibiting of this, her bill of complaint: That on or about, the third day of October, in the year of Our Lord One thousand Eight hundred and Thirty three, she had the misfortune to intermarry with one John K. Henderson of the county and state aforesaid, with whom she had expected to have spent the remainder of her days; in peace and happiness, your oratrix felt towards her said husband, as she beleives a good wife ever should feel. Love, Regard and strong conjugal affection, and treated him and demeaned herself towards him as a Christian, and as become her in her sphere of life, acted well her part, and expected from her said husband a return, at least of the duties, affection and treatment due from a husband to the wife of his youth, and partner of his days. But in this reasonable expectation, she has been most wretchedly, and sadly disappointed, as the sequel of this painful narrative will abundantly show, throughout, the whole of which she will nothing extenuate, or set down nought in malice: Shortly after your oratrix and her said husband were married, and moved to themselves, your oratrix was deeply grieved to learn, from her said husbands conduct towards her, that he was a man of most ungovernable temper, and possessed of spirit destitute of regard for the feelings of others, and corrupted not to pour out invectives and curses on your oratrix, without the least shadow of cause on her part or excuse on his part for so doing; nevertheless your oratrix bore all his invectives and abuses with meekness and christian charity, and endeavored by kind words and conduct towards him to work a reformation in his treatment of your oratrix, resorting without provocation to the vilest and most obscene language, offering the basest indignities to her person- and upon one occasion inflicted personal violence upon your oratrix, thus he continued to conduct himself at intervals of short duration between his paroxisms of abusive language and conduct towards your oratrix for a series of some six or seven years, during all which time your oratrix kept the treatment she received from her said husband, and all and every part thereof as secret, and concealed the same as much as in her power lay- from the knowledge of the public still looking forward with pleasing expectation, and hopeful anticipation to the day when, he out of regard for the standing and character of the children of his marriage with your oratrix, if not for her sake, or in consideration of her kindness to him, would abandon his evil ways and learn to act as become a husband and the father of a rappidly increasing famaily, for at the period above stated your oratrix had given birth to five interesting children and since that period to one more, the fruit of the marriage aforesaid- three sons and three daughteks. Up to the afforesaid period of time, your oratrix and her said husband by industry and economy had acquired a good farm, and settled thereon, and to the Eye of the world seemed happy, and were pruly prosperous in their sphere of life, rearing stock and cultivating the soild, and producing for market about \$100. worth of surplus produce stock & c per annum, for up to about this period of time her said husband had attended well to his farm, but in this her last hope she was doomed to disappointment, to wretched disappointment, and forced

to encounter with each returning day new evils, dangers, hardships, abuses, privations and indignities. Somewhere about this period of time, he began to neglect his farm, and to conceive that his father and perhaps others were enemies to his peace, and determined on destroying his life, and began a series of innovations upon the neighborhood but upon his father in particular, and growing worse & worse from day to day, oft times declared and repeatedly swore that he would take the life of your oratrix, and has repeatedly walked the floor, a good part of the night with a knife in his hand and swore he intended to, and would kill your oratrix, so desperate and notorious had his conduct become by this time, that by the interposition of his father and brothers, he was confined in a house near home for the purpose of preventing his doing them any harm, believing that he was deranged, and would not scruple to kill them or do some irreparable injury, but whilst confined as aforesaid he appeared to become penitent- and promised to behave himself as he should do, and was released upon his promises of reformation aforesaid, but these promises were soon disregarded, and shortly after his release from his confinement aforesaid, so desperate was his conduct- so utterly regardless of the ties of either affinity or consanguinity, that his relatives and his father in particular, began to look upon him as a deranged man. About this period or in the summer of 1847, he took your oratrix to her father Mr John Catlett Sr of this county and left her there, returning home himself he sent word to your oratrix, no again to go home as he would not allow her any more to visit his house or her children, who were at home with him your oratrix well knowing his wicked heart and having been so often threatened by him, was afraid to attempt to go home to where her children were and was advised for her own safety no to attempt it, and believing it dangerous to cohabit with him remained with her father. She was at her fathers but a short time untill she was informed that her said husband was in jail in Sevierville, by and through the interposition of his relatives, so soon as your oratrix was assured that her information was undoubtedly correct and that he was in jail, she went home to her children to take care of them, shortly after which time by the interposition of some persons she agreed to forgive him and again to live with him, upon his appearing penitent and promising for the future to conduct himself properly he was released from prison, and returned to his home, where for a short time he was permitted by his relatives to remain and for a very short time indeed, for his conduct towards them as well as towards your oratrix, induced them to believe that he was demened, or lunatic accordingly his father set on foot proceedings whereby he was declared in the (sic) pointed out by law a "dangerous lunatic" and as such was conducted to the insane hospital at Nashville- Tennessee, and Samuel Pickens Esqre was by the proper authority appointee his guardian (a copy of which proceedings declaring her said husband a lunatic and the appointment of the guardian aforesaid will be produced to your honor on the trial of this cause if necessary) but he remained but a very short time at the "assylum" aforesaid untill he evaded his keepers and returned to this county and to your oratrix your oratrix knew nothing of his coming back untill he was at home, and your oratrix was compelled through fear to remain with him; in a very short time after his return he was again confined in jail, and preparations were again making to return him to the "assylum" at Nashville; he manifested the most insupportable dread of said assylum, and the relatives of your oratrix and various other persons, being of the opinion that he would behave himself, properly if removed from amongst his relations, against whom he now manifested the most revengeful ire, and appearing to entertain kinder feelings for your oratrix, than he had done for years past, your oratrix was also of the impression and belief that a removal for this country to some place remote from his people would result in restoring to her at least the show of

kindness from him, if not work a radical reformation towards her, and being willing to hazard all even life its self for the preservation of her children, ultimately acceded to the importunities of various persons to try the experiment, accordingly Samuel Pickens guardian as aforesaid sold the land under and by virtue of a decree of this honorable court, and also sold all the stock and most of the furniture & c belongint to the husband of your oratrix and when your oratrix and the family were ready to start, her said husband was released from prison and started to Kentucky, under the superintendance of E Hedges of this county who was procured to go, by the guardain aforesaid. Your oratrix was in quite a delicate situation- when she started, and was in truth unfit to travel but such was her anxiety to better her condition now most hopeless, that late in the fall, and in the above named delicate condition she undertook the journey, and arrived safely in Kentucky and stopped within 12 miles of her brother in law, upon the next morning after their arrival in Kentucky, her said husband left her and returned to Tennessee, and in this forlorn and deserted condition she would have no doubt suffered much and perhaps have died, but for the kindness of her brother in law who hearing of her condition came to her relief and hawled her and her family home to his house where he nursed her and attended to her wants and the wants of her children; during her lying in with her last child, whilst your oratrix was thus situated her said husband returned to Sevier county taking with him the oldest of their children a son of some 13 or 14 years, ans was again sent to the lunatic assylum and confined there a second time, and his lettle son sent to your oratrix in Kentucky. So soon as your oratrix was able to travel, being without means, and in a strange land she came to this county with her brother in law, having at no time intended to change her home save as above stated and upon the happening of the above contingencies, the husband of your oratrix a second time escaped from the assylum and is now running at large, and spending the living your oratrix has helped to make as far as he possibly can whilst your oratrix is left without the means of procuring even the meanest necessaries of life for herself and children but is wholly dependant upon her father now for advanced in life, and of quite limited means for all that she needs &c or at least all that she can possibly expect in her case."

She charged him with cruel and inhuman conduct- unfit have custody of children Asked for money in hands of Pickens from sale of land, stock, furniture- \$12 or \$1500. That bonds of matrimony be dissolved etc.

Bell sol for compt

Ack., Richard Lanning C & M, By M.A. Rawlings D C & M. 11 Aug. 1848

Martha Henderson(Seal)