

Supreme Court
City & County of New York

Gertrude See }
ag^t }
William H. See }

Westchester County ss:

Ephraim H. Hudson of Tarrytown in
the town of Greenburgh in said County
being duly sworn says that he is
an attorney and counsellor of the
Supreme Court of this State. That
on the 26th day of February last
he served a true copy of the annexed
copy judgment in the above entitled
action on J. S. Millard Esq, the
attorney for the defendant therein
by delivering such true copy thereof
to the said Millard personally
and leaving the same with him
in Main Street near the Post
Office in said Tarrytown, and
at the same time exhibiting
to him the annexed copy judgment
and the seal of the Court and the
signature of Chas. E. Lowe Clk
thereto affixed.

And deponent further says
that on the 27th day of February

last, this deponent served a true copy of the annexed copy judgment on William H. See, the defendant in the above entitled action by delivering such true copy to the said William H. See personally and leaving the same with him at the store of James H. Fisher at the corner of Beckman Avenue and Washington Street in North Darytown in the town of Mount Pleasant in said Westchester County and at the same time exhibiting to him the said annexed copy judgment with the seal of the Court, and the signature of the said Chas. E. Lowe, Clerk, thereto affixed, and that deponent is well acquainted with the said J. S. Millard and the said William H. See, and knew them to be the same persons respectively mentioned and described as the defendants attorney, and the defendant therein.

E. H. Hudson

I sworn to before me this
1st day of March 1872 }

John A. Dewart
Notary Public
for Westchester Co., N.Y.

Supreme Court City County of New York

Gertrude See
Plaintiff

Against
William H. See
Defendant

Affidavit of service of
Summons and Complaint

County of Westchester John Mowser of Beckman-
town in the said County being duly sworn, says,
that on the fourth day of November 1871 at the corner
of Beckman Avenue and Cortlandt Street in said
Beckmantown in the Town of Mount Pleasant,
in the said County he served the annexed Sum-
mons on William H. See the above named
Defendant whom he has for years known
as the husband of the plaintiff, & Defendant
in the meanwhile living a near neighbor
to them. That such service was so made
on the said William H. See the Defendant in
this action, by delivering a copy of the same Summons
to him such Defendant personally, and leaving the
same with him. He further says, that he knew the
person served as aforesaid to be the person mentioned
and described in such Summons as the Defendant in this

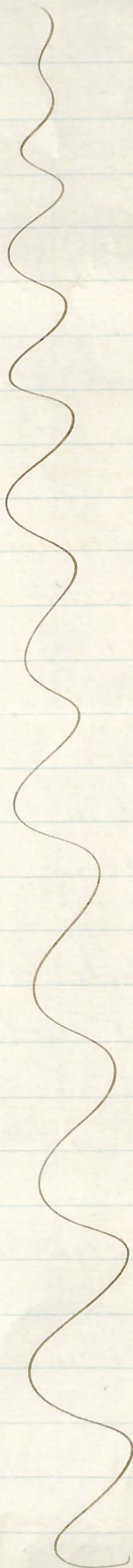
Sworn to before me this
17th day of January 1872

X

John A. Highis

Notary Public.

John Mowser



Supreme Court City of County of New York

Gertrude Lee

Plaintiff

against

William H. Lee

Defendant

Summons—For Relief.

(Com. not served.)

To the Defendant

You are hereby Summoned and required to answer the complaint in this action, which will be filed in the Office of the Clerk of the *City and* County of *New York* at *the Supreme Court House in said City* and to serve a copy of your answer to the said complaint on the subscriber, at *his* office *at No. 19 Park Place in said City* within twenty days after the service of this summons on you, exclusive of the day of such service; and if you fail to answer the said complaint within the time aforesaid, the plaintiff in this action will apply to the Court for the relief demanded in the complaint.

Dated *November 3rd* 18 *71*

C. R. Hoffman Plaintiff's Attorney.

Supreme Court
City & County of New York

Gertrude See }
 ^{vs} }
William H. See }

Gertrude See the above named
plaintiff in this action shows to this
Honorable Court and alleges,

That she (the plaintiff) is a res-
- of the Town of Mount Pleasant in West-
-chester County New York. That on or about
the 15th day of June 1844, she (the plaintiff)
was married with the defendant William
H. See at the Town of Yonkers in West-
-chester County New York.

That the said defendant now
resides in the said Town of Mount Pleasant,

And that the plaintiff from the
time of the said marriage continued to live
and cohabit with the defendant as her
husband until on or about the 17th day
of December 1867. And that from the time
of the said marriage the Plaintiff and
defendant have been and at the time
of the commission of the several acts of
Adultery hereinafter set forth were and

now are inhabitants of this State.

And the plaintiff further alleges on her information and belief and charges the truth to be, that the defendant disregarding the solemnity of the marriage vow, hath since the marriage of the plaintiff with him as aforesaid committed adultery at divers times and places and especially that the said William H. See the defendant on some day and days during the years 1859 & 1860 but on what particular day or days the Plaintiff is not informed at the said Town of Mount Pleasant in Westchester County New York did commit adultery and have carnal connection with one Amanda Rowe otherwise called Amanda Rouse. And that the said William H. See at various other times during the said years 1859 and 1860 committed adultery and had carnal connection with the said Amanda Rowe otherwise called Amanda Rouse at the Town and County last aforesaid.

And the plaintiff further alleges on her information and belief and charges the truth to be, that the

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said William H. See so disregarding
the solemnity of the marriage vow
aforesaid hath since his said marriage
with the plaintiff as aforesaid committed
adultery at divers times and in various
places, and especially that the said
William H. See on or about the 24th day
of October 1871 at No 157 Wooster Street
in the City and County of New York
did commit adultery and have
carnal connection with one Jerry
Wilson.

And the plaintiff further
alleges that she was wholly and entirely
ignorant of the commission of the aforesaid
acts of adultery by the said
William H. See or any or either of them
until on or about the 2nd day of Nov^r
1871. That five years have not elapsed
since she discovered the fact that such
adultery had been committed by
him (the said Wm H. See) and that
she has not voluntarily or otherwise co-
habited with him (the said William H.
See) since the discovery thereof, and
that the said adultery was committed
without the consent connivance, privity
or procurement of the Plaintiff.

- Wherewith the plaintiff demands judgment;
1. For a divorce from the bonds of matrimony;
 2. That a reasonable provision for her support be made out of the property of said defendant.
- J. For the Costs and expenses of this action
- C. P. Hoffman
Respectfully

Westchester County ss.

Gertrude See the plaintiff named in the foregoing Complaint being duly sworn says that she has heard the said Complaint read and knows the contents thereof. That the same is true of her own knowledge, except as to the matters therein stated on information and belief and as to those matters she believes it to be true.

Sworn before me the
15th day of Decr 1871

Gertrude See

P. O. Hara

Justice of the Peace

Supreme Court
City & County of New York

Gertrude Lee
vs
William H. Lee
Defendant
Plaintiff
John of appearance

hi,

Please to take notice that the defendant,
William H. Lee appears in this action, and
that I am retained as attorney for him therein
and demand that a copy of the complaint
and all papers in this action, be served on
me at my office, Tarrytown, New York.

Yours

J. S. Millard
Defendants attorney
Tarrytown

To

C. P. Hoffman Esq
Plaintiff's attorney

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Supreme Court
City and County of New York

Gertrude E. Lee }
 ^{against}
William H. Lee }

City and County of New York;

Cornelius P. Hoffman,
being duly sworn says he is the Attorney
for the plaintiff in the above entitled
action; that said action is brought
for an absolute divorce from the bonds
of matrimony, on the ground of the
alleged adultery of the defendant as
charged in the Complaint herein; that
after the commencement of said action
the said defendant appeared therein
by Attorney, who duly demanded a
Copy of the Complaint therein; the
notice of such appearance and demand
is hereto annexed; that thereafter and on
the 23^d day of December 1871, in due time,
deponent duly served a copy of said
Complaint upon J. S. Willard, by the
said Attorney of said defendant, by mail
by depositing the same, properly enclosed
in an envelope, directed and addressed

to said Millard, at Tarrytown New York, his place of residence, in the Post office in the City and County of New York, and prepaying the postage thereon. And that there was then & is now, a regular communication by mail between said City of New York and said Tarrytown. Deponent further says that the defendants time to answer herein has expired, more than forty days having elapsed since the service of said Complaint; And that no answer or demurrer to said Complaint has been received, or served. Deponent further says that all of the plaintiffs proceedings in this action have been and are irregular to the best of his knowledge information and belief.

Sworn to before me this 6th day of February 1872 } Cornelius P. Hoffman

George M. Van Hosen
Notary Public
N. Y. Co.

(Endorsed)

Filed Feb 7. 1872

}

} Gerlach E. der
 } agt.
 } Artmann H. der

Hen G. G. Barnard
Jenai

At the Special Term of the Supreme
 Court, held in and for the City
 and County of New York, at
 Chambers, in the New Court House,
 in said City of New York, on the
 7th day of February 1872

P. Hoffman plaintiffs attorney Ordered
that it be and it hereby is referred to, V.
W. Doty Counsellor at Law of the City and
County of New York, as sole Referee,
to take proof of all the material facts
charged in the Complaint in this action;
and that said Referee return report such
proof to this Court, with his opinion
thereon with all convenient speed.

(Endorsed)

Filed Feb'y 7: 1872.

Supreme Court
City and County of New York

Gertrude Lee }
vs }
William H. Lee }

City and County of New York

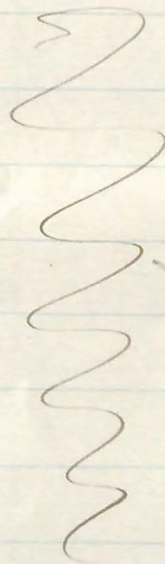
Compl't P. Hoffman
the plaintiffs attorney in the above enti-
-tled action being duly sworn says, that
said action was brought against the defen-
dant for a divorce on the ground of
adultery. That the defendants time to
answer expired and he put in no
answer or demurrer, that the usual

order of Reference was then made to
take the proofs which order bears date
Feby 7. 1872; that such proofs have
been taken & the Referee has reported in
favor of the plaintiffs. In preparing the
motion papers for the order of reference,
in preparing said order the following
mistake was made. In entitling the
causes in said order & papers the plain-
-tiffs name was written Gertrude E. Lee
instead of Gertrude Lee, which is her
correct name, such mistake was
made by inadvertence. Deponent on
behalf of the plaintiff asks for an order
of this Court correcting such mistake.

Sworn to before me this } Cornelia P. Hoffman
24th day of February 1872 }

Geo M. Van Hosen

Notary Public
N. Y. Co.



At a special Term of the Supreme
Court held at Chambers, in
the New Court House, in and for
the City and County of New
York on the 24th day of February
1872

Present

Hon George G. Barnard
Justice

Gertrude Lee }
 agt
William H. Lee }

It appearing from the Summons
and Complaint and the affidavit of
the plaintiffs attorney herein that in pre-
paring the order of reference to take the
proofs herein, dated Feb 7. 1872 & the mo-
tion papers in such order a mistake
was made therein in entitling the cause
by writing the name of the said plaintiff
Gertrude C. Lee, instead of Gertrude
Lee, which is her right name; And
appearing that such mistake occurred
through inadvertence; And the defen-
dant through his Attorney, consenting
thereto, His Honor Motion of said Hoffman

Ordered that order of Reference of said
motion papers, and all other papers
in said cause in which such mistake
occurs be and the same are hereby cor-
-rected and amended by striking out
the said middle initial letter "E"
from the plaintiffs name so that her
name shall read Gertrude de See, instead
of Gertrude E. See

Supreme Court
Circuit Court of New York

Gertrude See }
 ^{appt}
William H. See }

One service of a copy of the
Referees Report herein is hereby ad-
-mitted & I hereby waive notice of
motion for judgment herein. And
whereas in the order of reference herein
& certain other papers in this action,
the plaintiffs name has inadvertently
been written Gertrude E. See instead of
Gertrude de See, her true name, I hereby
consent that said order & said
other papers wherein the mistake

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occurs be amended by striking out
said middle initial letter E from
the plaintiffs name as therein written
Dated February 17th 1872

J. S. Millard
Atty for defts

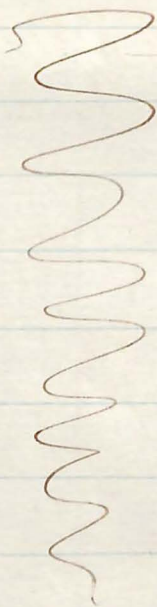
Supreme Court
City County of New York

Gertrude Lee }
 apt- }
William H. Lee }

I hereby waive notice of motion
for reference in above action, to take
proofs.

Dated February 3rd 1872

J. S. Millard
Atty for defts



Supreme Court N.Y.

Gertrude Lee }
vs } Referees Report
William H. Lee } (with testimony annexed)

Pursuant to an Order of Reference made by the Court in the above entitled action and bearing date the seventh day of February 1872; whereby the said action was referred to me, as sole Referee, to take proof of the material allegations contained in the plaintiffs Complaint, and Report the same to the Court, together with my opinion thereon,

Now therefore, I, J. V. W. Doty,
Sole Referee as aforesaid, do hereby Certify and report: That I have been attended by Cornelius P. Hoffman Esq, of Counsel on behalf of the Plff - that the defendant did not appear, & that a waiver in writing, in due form of law of notice of such hearing from the defendants attorney was read and filed with me & is hereto annexed. That I have taken the proofs in the action on the part of the plaintiff,

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which proofs are herewith annexed,
and that the following are my
findings of facts, together with my
opinion thereon.

Facts

I I find that before and at the time
of the commencement of this action,
the plaintiff and defendant were both
actual residents of this State, and are
still residents thereof.

II That the said plaintiff and defen-
dant were legally married on the 15th
day of June 1844; and that thereafter
and until the month of December 1867,
they lived together and cohabited as
husband and wife.

III That there has been issue from such
marriage, four children, two of whom are
dead and two now living - one of full
age, the other a minor residing with
the plaintiff.

IV That the defendant did commit
the several acts of adultery as alleged
in the Complaint; and particularly
that on or about the last of October or
first of November 1871, at a place in West
Street in the City of New York known as

a house of prostitution; the said defendant did then and there commit the act of adultery, with a female known to be a prostitute & person of ill fame.

V. That the plaintiff has not voluntarily, or otherwise, lived or cohabited with the defendant since the time of her first discovery of the commission by him of the acts of adultery as aforesaid.

VI. That said adultery was so committed by the defendant without the consent, privacy, connivance or procurement of the plaintiff; That she has not condoned or forgiven the same; and that five years have not elapsed since the first discovery thereof by the plaintiff, nor since the commission thereof by the defendant.

Opinion

In my opinion all the material facts charged in the plaintiff's complaint are true, and have been sufficiently proven before me; - That the defendant has committed the several acts of adultery therein alleged; and the relief prayed for by the plaintiff in her Complaint should be granted.

All of which is respectfully submitted.

Dated 17th February 1872.

J. V. W. Doty
Referee

Supreme Court N.Y.

Gertrude See } Depositions taken this 12th
 } Feb 1872 in this action on the
Against } part of the plaintiff before
William H. See } the Referee

Feb 12, 1872.

C. P. Hoffman for Plff.

No party appearing for Defs.

Plff filed with Referee a waiver
of notice of hearing, marked Ex "A".

Plff called and sworn testified as follows - I am the Plff in this action. The Defs is my husband. We married in the year of 1844 at Yonkers Westchester County in the State of N.Y. on the 15th day of June - We lived and cohabited together as husband and wife after that time until December 1867, The paper now shown is my marriage Certificate. Certificate put in evidence marked Ex "B".

We had four children - Two are dead and two are living - one is now of full age and the other a minor

The minor child is now residing with me - I do not know any of the witnesses to the marriage Certificate except John J. See - He is dead - I sued my husband heretofore for a limited divorce - I got Judgment - The paper shown is a certified copy of that judgment -

Subin evidence marked Ex "C".
I have complied with all the conditions contained in the Judgment.

I have not lived or cohabited with my husband since I discovered the acts of adultery charged - We are both residents of the State of N. Y.

I knew Amanda See. She was also called Amanda Rowe - also Amanda Rouse. She lived with my husband and I as a servant girl in 1834, did so about six months. Ann Dolphin lived with me before See lived with me. Before See lived with me I had always paid the girls. Mr. See paid the girl See or Rowe. He kept a Store at the time - This was at Tarrytown - My husband always laid abed late until Amanda See or Rowe came to live with us - After she came got up early -

I went to a Ball at the Franklyn House.
It was Dancing School - I left promised
to come early after me - I did not come until
one o'clock in the morning - It was during
the time Amanda Lee lived with us.

Sworn & subscribed this } Gertrude Lee
12th day of July 1872 }
Before me

J. V. W. Doty
Referee

Euphemia Beckman called and sworn
certified as follows - I reside on Long
Island - I know the parties to this action -
I did know Amanda Lee, called Aman-
-da Rowe sometimes, I knew her when
she resided with the parties to this action
as servant. I saw him put his arm
around her neck, and hugged her and
kissed her - They whispered together -
The plff was away from home at the
time. This was at Tarrytown about
1854

Sworn this July 12th } Euphemia Beckman
1872 before me }

J. V. W. Doty
Referee

William Rowe being duly sworn says

X I reside at Tarrytown in the State of N.Y. I am a builder - take contracts &c. I know the deft - He is a carpenter. He has worked for me - I know him well - He and I visited the City of N.Y. on last October or first of November - went to a place in Wooster Street in this City. We went there to see the girls - We saw them - It was a house of prostitution and girls were kept there for the purposes of prostitution. I was in a room with a girl and the deft came with another girl and turned us out of that room. They went in there and were shut up together - They were there for at least half an hour. I ~~saw~~^{heard} them lock the door. The girl he went into the room with was one of the girls kept in the house for the purposes of prostitution. I have heard the deft speak of Amanda Lee. He told me he had had sexual intercourse with her He did so on the night his wife went to the Ball at the Franklin House.

Taken and submitted } William Lowe
this 12 day of Feby 1872 }
J. V. W. Doty
Referee

Supreme Court
City & County of New York

Gertrude Lee }
 ap }
William H. Lee }

I hereby waive notice of hearing before
the Referee to take proof in this action &c.
Dated February 10th 1872
S. S. Millard

Attys for deft
(Endores) J. & A. J. V. M. Doty.

At a Special Term of the Supreme
Court of the State of New York held
at the Court House in White Plains
in Westchester County on the Twenty
first day of June in the year one
thousand eight hundred and
sixty nine.

Present, Hon J. F. Barnard Justice
Gertrude Lee }
 Plaintiff }
 ap }
William H. Lee }
 Defendant }

This action being at

issue on the pleadings in this action and it having been referred to J. C. Dyckman Esq a Referee to take the testimony therein & the parties having appeared said Referee in person and by their respective Attorneys and Counsel, and some testimony having been taken therein and the parties having thereupon agreed to settle and compromise their differences and the matter in dispute in this action upon the terms hereinafter stated and that a decree for separation and a limited divorce should be made and entered in this action.

Now on hearing Mr Frost of Counsel for the plaintiff and Mr Wells of Counsel for the defendant, and said agreement having been approved by the Court, and it being shown to the Court, and appearing to the Court, that the said parties plaintiff and defendant, are now living separate and apart and have so lived separate and apart from each other for some time before the commencement of this action, it is therefore adjudged and decreed that the said plaintiff and defendant be separated, forbear and board for ever, provided however, that the said parties may at any time hereafter by their joint Petition apply to the

Court to have this Judgment modified or discharged and that neither of the said parties shall be at liberty to marry any other person during the life of the other party.

It is further adjudged that the plaintiff pay a certain bond & mortgage executed by both plaintiff and defendant to the Westchester County Savings Bank at Parytown, for the principal sum of one thousand dollars and covering the plaintiff's house and lot situated at Beckmantown in the County of Westchester and also covering the defendant's House and lot at Dobbs Ferry in said County, and that the plaintiff indemnify and save harmless the defendant from all liability to pay any part of the principal or interest of said bond and mortgage, or of any costs or expenses thereon and that she cause the defendant's said house and lot to be discharged from the lien of said mortgage on or before the fifteenth day of August next.

It is further adjudged that the plaintiff have and retain the furniture, plate, books wearing apparel and other personal property in her said house and that defendant relinquish all claim thereto,

And it is further adjudged that the

plaintiff relinquish, release and discharge
to the defendant all claims and demands
which she has or may have against him as
her guardian husband or otherwise for any
matter or cause whatever.

It is further adjudged that the
plaintiff do not recover or have of the defen-
-dant any alimony or support, for herself
or her children and that neither party shall
have or recover from the other or his or her
representatives or estate any dower or curte-
-sy of the real estate or thirds or distributive
share out of the personal estate now owned
or which may be hereafter acquired by either
party or any interest therein.

It is further adjudged that the plain-
-tiff shall have the custody and control
of her son Stewart Lee, during his minority
and that she support maintain and
educate him out of her own estate.

It is further adjudged that neither
party recover costs in this action as against
the other, and that the plaintiff pay the
referee's fees and charges.

J. Malcolm Smith Clk

State of New York }
County of Westchester } ss

S. J. Malcolm Smith, Clerk of said
County, and also Clerk of the County and
Supreme Courts in and for said County
(the same being Courts of Record), do hereby
certify that I have compared the preceding
with the original judgment on file in my office,
and that the same is a correct transcript
therefrom, and of the whole of such original
in testimony whereof I have here-
unto subscribed my name and
affixed my official seal, this
10 day of Nov 1870

L. D.

*5 of Hain
Came*

S. Malcolm Smith
(Endorsed) Ex C. Clerk
J. V. W. Doty

At a Special Term of the Supreme Court
of the State of New York held at Cham-
bers in the New Court House in and
for the City and County of New York on
the 24th day of February A. D. 1872

Present. Hon George Barnard, Justice

Gertrude Lee }
agt
William H. Lee }

This action having
been brought on to be heard upon the

complaint herein, and upon proof of the defendants failure to answer, and upon the Report, dated February 17, 1872, of John R. M. Doty Esq. the Referee only, appointed in this action, from which Report it appears that all the material facts alleged in the Complaint herein are true, and that the defendant has been guilty of the several acts of adultery charged in said Complaint, - and the defendant, through his attorney, having waived notice of application for judgment herein; Now on motion of C. R. Hoffman Esq. the plaintiffs attorney it is Adjudged that the marriage between the said plaintiff Gertrude Lee, and the said defendant William H. Lee be dissolved, and the same is hereby dissolved accordingly; and the said parties are and each of them is freed from the obligations thereof.

And it is further adjudged, that it shall be lawful for the said Gertrude Lee, the plaintiff, to marry again in the same manner, as if the said William H. Lee, the defendant, were actually dead; but it shall not be lawful for the said William H. Lee, the defendant to marry again until the said Gertrude Lee, the plaintiff, is

actually dead.

And the plaintiff, being a person of
considerable means, and having voluntarily
waived all costs and alimony herein,
therefore no costs or alimony are allowed,
or to be allowed her from or against the
defendant.

(Endorsed)

Filed July 24. 1872

Supreme Court

Gertrude Lee

apt

William H. Lee

Judge for divorce

C. P. Hoffmann

Plffs atty

19 Park Place N.Y.

B. Oct. 19/72

O.T.C.