

Legislature of Wisconsin, (divorce)

Petition of divorce
J B Brown, for divorce

Read and referred to
Select Committee
Sheffield Childs & Hony
Dec 18th

~~Ordered to be engrossed
and read a third time
Dec 28th 1839~~

To the Honorable, the Legislative Council, and House of Representatives of the Territory of Wisconsin -

The petition of Joseph B. and Margaret Brown, of Crawford County, Wisconsin Territory: - Sheweth: -

That Joseph B. Brown, has been from a boy a resident within the Sioux Territory, and for many years past, a trader among said tribe, and identified by them as a member, or relation of the tribe, -

That Margaret Brown, is a half blood Chippeway and has lived among that tribe until within a few years, when the peace that then existed between the two tribes, induced her father, to locate himself near Fort Snelling, -

That said petitioners were married in June 1836, one of said petitioners being at the time in the employ of the American Company, and stationed at Lac Croix, at the head of the St. Peters. -

That, when said petitioners were on the eve of departure for Lac Croix, intelligence reached us, that war, with all its horrors, had broken out between the Sioux of Lac Croix, and the Chippeways of Red Lake, which rendered it out of the question that one of Chippeway blood could venture into that country,

That, the arrangements of one of said petitioners, compelled him to proceed to Lac Croix, where he was detained until July 1838, during all which time the war continued between the two nations,

That, in 1838 they established themselves on the newly purchased land, and made such arrangements as was necessary for a permanent home, and at the same time to continue a trade with the Sioux.

That in July 1839, a peace, which had continued between the lower bands of Sioux, and the Chippeways of the St. Croix, for upwards of ten years, was interrupted, by the battle near the head of Lake St. Croix, between the two tribes, wherein the number killed precludes the possibility of peace again being restored, and at the same time endangers the life of any of Chippeway blood, who should attempt to reside near the Sioux Territories, and one of said petitioners, only saved her life by a timely flight. -

That, seeing the war now raging the whole extent of the two nations, precludes the possibility of said petitioners being able to reside together, unless they should have the vicinity of both tribes. -

That ~~none~~ of your Petitioners could ~~support~~ a life in the white settlements, where the Manners and Customs were not familiar to her, and being unable to speak the English Language -

That one of your Petitioners, considers himself incapable of any business other than the one he now follows, and by abandoning which he would suffer a very heavy pecuniary loss, and be guilty of a breach of faith -

That under all these circumstances, your Petitioners, after mature deliberation, think their happiness would be better secured by a separation, than by pursuing the other only alternative.

Your Petitioners therefore humbly pray your Honorable body to pass an act of divorce in our favor, that as ~~under present~~ under present circumstances it is impossible we should live together, we may not be a burden to each other, should either of us be inclined to form other Matrimonial Connection. - And no in duty bound your Petitioners will ever pray. -

Signed in presence of

H. C. Menck

Margaret Brown

Sir

Margaret Brown
Mark

~~We, the undersigned Francis and Margaret McCoy, the father and mother of the above named Margaret Brown, being conversant with the facts stated in the foregoing petition, testify that we consider it impossible she could reside with her husband, and believe, therefore, they are pursuing the most proper means towards the happiness of both. - Given at the St. Croix river, this 12th day of Nov. 1839~~
Witness present

I solemnly swear, that I saw Margaret Brown, and ~~Francis and Margaret~~ ^{she} sign the above petition, which ~~they~~ ^{she} did of their own free will and accord.

H. C. Menck

Sworn and subscribed before me one of the Justices of the peace, in and for the County of Crawford, this 19th day of November 1839.

Wm. H. Brown J.P.

I solemnly swear that the father and mother of Margaret Brown
resided, as I understood, about twenty miles ^{from where their daughter resided,} therefore did not go that
distance to get the petition signed by them.

H. C. Menck

Sworn and subscribed before me this 19th day of Nov. 1859

Geo. B. Brown
J.P.