

DeForsau County Circuit Court
Case Files - Civil
September 1872

Box

30 Folder 23

Williams, John

vs

Stroup, Peter

Note

Debt \$200

Hillsboro Ohio

Twelve months after date we or
either of us promise to pay John
William Two hundred Dollars for
value received negotiable and
payable without regard to the
discount within Ten per cent interest
from Date this May 15th 1865

J. H. James
Peter Stroup

rebind on the within note the
indent in full up to may the
fiftieth 1867

rebind on the within note the
indent in full up to may ^{the} 1869

John Williams, - Plaintiff } In the Circuit
Against } Court of Jefferson
Peter Stroup, - Defendant } County, Missouri
September Term 1870

The Plaintiff states that the Defendant, (and J. C. Power) by their negotiable promissory Note, herewith filed, dated the 15th day of May 1865, promised for value received to pay to the Plaintiff the sum of Two hundred dollars, twelve months after the date thereof, with interest from date at the rate of ten per cent per annum. - Plaintiff states that he has received the interest due on said Note, up to the 15th day of May 1869. And Plaintiff states that the sum of money specified in said Note, and the interest on the same since the 15th day of May 1869, are yet due the Plaintiff, and for which he asks judgment,

Abner Green
Attorney for Plaintiff

In Circuit Court
Jefferson County

John Williams

vs,

Peter Stroup

Petition

on Note,

Let summons issue

Alfred
for Plff.

Filed July 24th 1872.

W. S. Boyce Clk.

By C. H. Horne Dep.

THE STATE OF MISSOURI, } SS.
COUNTY OF JEFFERSON.

THE STATE OF MISSOURI,

To the Sheriff of the County of Jefferson—Greeting:

We command you, that you summon

Edw. Shoup

if he be found in your County, that
he be and appear before the Hon. Judge of our Circuit Court, on the
first day of the next term thereof, to be begun and held at the town of Hillsboro,
within and for the County of Jefferson, on the second Monday after the
~~fourth~~ Monday of September next, then and there to answer unto

John Williams

upon his original petition, a copy whereof is hereunto annexed and
accompanies this writ, and have you then there this writ.

W. S. Bryce
Witness, ELIAS F. HONEY, Clerk of our said Circuit Court,
with the seal thereof hereunto affixed, at office in Hillsboro, this
Twentyfourth day of July A. D. 1872

W. S. Bryce
Clerk Circuit Court.
By *C. H. Corine* Dep

I. Executed the within writ in the county
 of Jefferson State of Missouri on Peter Strup
 by Delivering him a true copy of the writ
 and Petition as furnished me by ^{clerk of} said court
 on 29 day of July 1872

L. B. Moss Sheriff

38444

TO

JEFFERSON CIRCUIT COURT.

Sept Term, 1872

John Williams

vs
 Peter Strup

Original

38444 13 28, 2

106 1/2 542

266 1/2

10 1/2

575-
 113-
 Sheriff's Fee 100

John Williams & In the Circuit
vs. against & Court of Jefferson
Peter Stroup & County Missouri

Now at this day comes the defend-
ant and for answer to the
petition of plaintiff admits
that he executed and signed the
note sued on by plaintiff but
denies that he is liable to pay
the same or that plaintiff is
entitled to recover any sum
thereon from Defendant. For
Defendant says that he being
merely security on said note for one
James C. Pomer who signed the
same as principal and received
the whole consideration for which
it was given did on the 10th day
of November 1868 and after the
plaintiff's right & cause of action
had accrued thereon require the
plaintiff who was then as now
the holder of the said note in writing
to forthwith commence suit thereon
against said Pomer the principal
debtor and other parties liable
which said notice was served on
plaintiff by delivering to him a

Copy thereof, and Plaintiff avers
that that Plaintiff did not comm=
=ence an action or suit on
said note as required by said notice
against the parties liable thereon
thereon within thirty days
after the service on him of said
notice as aforesaid or proceed
with due diligence therewith
in the ordinary course of
law to judgment & execution
by reason of which this
Defendant is exonerated from
all liability to the Plaintiff
thereon & asks judgment
for costs

Jose Williams
Atty. for Defendant

John Williams

vs

Peter Straup

answer

Filed Sept 11 1872

W. J. Dorsey