

Jefferson County Circuit Court
Case Files - Civil
May 1874, No. 37

Box

32 Folder 69

Gehrke, Hans Henry

VS

Jenni, Peter

Jenni, Florain

Graham, Madison

Debt, note

Debt \$800 payable in cash or
Jefferson County bonds

To Herman Dargen,

Sir, - You hold a
promissory Note, given by Peter Jenni, as
principal, and Florian Jenni and Madison
Graham as securities, dated in September
1872, for Eight hundred dollars, payable
to Herman Dargen one day after date, with
ten per cent interest from date, - You
are therefore hereby required to commence
suit on said Note forthwith against the
principal debtor and other parties li-
ble on said Note. - This 4th day of
February 1874

To Herman Dargen,

Sir, - You hold
a Promissory Note, given by Peter Jenni
as principal, and Florian Jenni, and Mad-
ison Graham as securities, dated in Sep-
tember 1872, for Eight hundred dollars,
^{to Herman Dargen}
payable, one, day after date, with ten
per cent interest from date. You are
therefore hereby required to commence
suit on said Note forthwith against the
principal debtor and other parties lia-
ble on said Note. - This 4th day of
February 1874. M Graham

I served the above Notice on Herman Dargen
in Jefferson County, Missouri, on the ninth day of February
1874, by delivering to him a copy of the same,

This 11th day of February 1874

Sworn to and subscribed
before me this 11th day
of February 1874

Madison Graham
Stephen Pounds
Justice of the Peace
of Big Pine Township
Jefferson County Mo

Shenken
w.
Jennin

Senpe or. parman
~~degen in breasting~~
and levins &
copy

Notes

H. Dargen

\$800.00

Wellman's Store Sept 13th 1872

One Day after Date We Promise
to pay to the Order of Hans Henry Gehrken
the Sum of Eight Hundred Dollars in
Cash or in Jefferson County Bonds
Bearing Ten per Cent Interest at
at Ninety Cents per Dollar this
Date to Bair Interest at the Rate
of ten percent per annum per Value
declared



Peter J. Gennet

Affirmation Jernett

Madison Graham

Hans Henry Gehlker, plaintiff, } In the Circuit
against } Court of Jefferson
Peter Jenni, Florian Jenni, } ss. County,
and Madison Graham, de. } State of Missouri,
pendants. } May Term 1874.

Plaintiff states, that the above named defendants by their Promissory Note herewith filed, bearing date September 13th, 1872., promised to pay to the order of plaintiff one day after the date of said Note for value received the sum of eight hundred dollars, in cash, or in Jefferson County Bonds bearing ten per cent interest at ninety cents per dollar, said Note to bear interest at the rate of ten per cent per annum.

Plaintiff further states, that he is still the owner of said Note; that defendants have not paid the same, nor any part thereof, either in cash or Jefferson County Bonds, except twenty five dollars, which amount has been paid as interest on said Note, although payment of said Note has been demanded of defendants, and that the balance of said Note after deducting said twenty five dollars, paid as interest, is still due plaintiff by defendants.

Plaintiff therefore asks judgment against defendants for the sum of eight hundred dollars, the amount of said note, and interest thereon at the rate of ten per cent per annum from the 14th day of September 1872, less the amount of twenty five dollars paid thereon, and also for costs of suit.

Wans Henry Gehlen
Plaintiff, by
Henry F. Ahlers,
his Attorney.

In the Circuit Court
of Jefferson County,
Missouri
May Term 1874.

Wm Henry Gehlen,
Plaintiff,

against

Peter Jermi, Florian
Jermi, and Madison
Graham, defendants.

Petition
on note.

Filed April 16th 1874
W. S. Boyce Clerk
By Otho H. Hinesdeley

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 *Peter Jenni*
Florain Jenni and Madison Graham

if ~~he~~ be found in your County, that ~~he~~ be and appear before the Honorable 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 *May* next, then and there to
answer unto

Hans Henry Gehrken

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

Witness, W. S. BOYCE, Clerk of our said
Circuit Court, with the seal thereof hereunto
affixed, at office in Hillsboro this *sixth*
day of *April* A. D. 18*74*

W. S. Boyce Clerk Circuit Court.

By *Chas. Horne* Deputy

I executed the within summons at the
 county of Jefferson state of Missouri on the
 within named defendants Peter Jenni being
 the first one served ^{by leaving} a true copy of the original
 writ and petition ^{with a} ~~by leaving~~ at his usual
 place of abode ^{with a} ~~by leaving~~ ^{white person over the age of fifteen years}
 a true copy of the original writ with
 M Graham also by leaving a true copy
 of the original writ at J. Jenni's usual
 place of abode on the 24th day of April
 1874.

J. D. Moss Sheriff
 By J. A. Williams

35280

RETURNABLE

TO

JEFFERSON CIRCUIT COURT.

May TERM, 1874.

Hans Henry Schooten

vs

Peter Jenni

Alcain Jenni

Madison Graham

Judgment for \$908.30.

10% interest

(original)

Sheriff fees \$3.00

on April 24

I executed the within summons at Jefferson County, State of Missouri, on the
 24th day of April 1874, on Peter Jenni, being the first one served, by leaving a true
 copy of the original writ and petition at his usual place of abode with a
 white member of his family over the age of fifteen years; on defendant Mad-
 ison Graham by delivering to him a true copy of the original writ
 and petition; and on Alcain Jenni, by ~~delivering~~ leaving a true
 copy of the original writ and petition at his usual place of
 abode with a white member of his family over the age of
 fifteen years.

This 24th day of April 1874. J. D. Moss Sheriff
 By J. A. Williams

Hans Henry Gehrlen, - Plaintiff }
Against }
Peter Jermi, Florian Jermi,
and Madison Graham, - Defendants, }
} In the Circuit Court
} of Jefferson County
Missouri, - May Term 1874,

Madison Graham, one of the above named defendants, for his separate Answer to the Petition of Plaintiff, admits that he signed the Promissory Note described in, and annexed to, Plaintiff's Petition, but he states that he signed said Note only as Surety for Peter Jermi, the Principal therein, and that this Defendant did not receive any Consideration for said Note, but was only surety therein; and he denies that he is liable or legally bound for the payment of said Note, or any part thereof; For, he states that after the said Note became due and payable, and after Plaintiff's right of action on said Note had accrued, To wit, on the 9th day of February 1874, this Defendant delivered to Plaintiff a Notice in writing, requiring the

Plaintiff (having such right of action)
forthwith to commence suit against
the principal debtor and other par-
ties liable on said Note, And Defen-
ant avers that said Notice in writing
was duly served on the Plaintiff
on the 9th day of February 1874, ^{by delivering to him a copy thereof,} and
that the Plaintiff did not com-
mence suit on said Note within
thirty days after the service on him
of said written Notice, as required by
law, - nor did Plaintiff commence suit
on said Note until the 16th day of April
1874. Wherefore this Defendant avers
that he is, by virtue of the statute
in such cases made and provided,
exonerated from liability for the
payment of said Note, or any part
thereof; and he denies that the Plai-
ntiff is entitled to judgment against
him for the amount of said Note, or
any part of it; and denies that he owes
Plaintiff eight hundred dollars, the
amount of said Note, or any interest there-
on, or any sum whatever, Wherefore
he asks judgment against Plaintiff
for costs,

Madison Graham

By Abner Green, his Attorney

In Jefferson Circuit
Court, May Term 1874

Wm. Henry Graham
vs.

Peter J. J. J. J. J.
others

Answer

Madison Graham

Filed May 12 1874

W. S. Boyce Clerk

dent Graham is by virtue of the statute
in such cases made and provided, exonerated
from liability for the payment of said note,
or any part thereof, as said defendant alleges,
and plaintiff therefore repeats his aver-
ments in his petition.

Henry F. Ahlers,
Atty for plaintiff,

In the Circuit Court
of Jefferson Co. Mo.
May Term 1874

Wm. Henry Gehring
Plaintiff,

Against
Pete Jenni, Florian
Jenni' and Madison
Graham, defendants.

Replication
by plaintiff to
Graham's answer.

Filed May 13 75/4
W. L. Boyce Clerk

Ghu Kiu
Japh Gur Jimi Etal
Rotow n Luga 17 Mo p 399
Christy n Home 24 " " 242

Safferington n Jufus 15 Mo p 628
Tulugh n Amos 3 Mo 5-3