

St. Florian County Circuit Court

Case File - Civil

December 1860, #137

Huoli, Ulrich
vs

Gasche, Aspar

Shuder

Defendant accused plaintiff of
swindling a widow and children
in Germany; \$500 damages

Box

12

Folds

80

Ulrich Hubeli, - plaintiff } In the Circuit
Against } Court, Jefferson
Casper Garcke, - defendant } County, Missouri

The Plaintiff states that on the 23rd day of October 1860, at the County of Jefferson aforesaid, the Defendant Spoke in the German Language the following false and Slandorous words of and concerning the Plaintiff, that is, to say, "You (meaning Plaintiff) stole money and property from a widow woman and ~~her~~ children, in Germany." - "You are a swindler and a thief." - "You cheated and stole the property of a widow and ~~her~~ children." - By which Plaintiff says he is damaged to the amount of five hundred dollars, and for which he asks judgment.

A. Green

Atty. for Plaintiff,

Alrick Hubbel, Plaintiff, makes oath and says the above petition and the matters therein as stated, he believes to be true.

Subscribed and Sworn to }
before me. October, 26/60 }
A. K. Meyer, etc. Co. Clk }

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E. H. H. H.

1222

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Miller

2nd

December

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6-15
6-20
6-15

The State of Missouri, } SS.
COUNTY OF JEFFERSON.

Go the Sheriff of the County of Jefferson--Greeting:

We command you, that you summon *Caspar Gasche*

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 *November*
next, then and there to answer unto *Ulrich Hubeli*

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

Witness, **ELIAS F. HONEY**, Clerk of our said Circuit
Court, with the seal thereof hereto affixed, at office
in *Hillsboro,* this *third*
day of *November* A. D. 1860

Elias F. Honey

Clerk Circuit Court.

I executed the within writ in the county of Jefferson
state of Mo on the 17th day of November 1860 on Casper
Hache by delivering him a certified copy of this writ
and annexed petition as furnished me by the clerk

Oscar Dover Sheriff

No 37

Jefferson Circuit Court

Decr. Term 1860

1740
Wicks Hurdle

vs. Defendant

Casper Hache

Sherriff fee \$1.00
Paid by D.H.

Dismissed by D.H.
March 15th 1861
into paid

Ulrich Abele
vs
Casper Gasche 3

The ~~Defendant~~ moves the
Court to rule the plaintiff to give
Security for costs for these reasons

1 Because plff is not responsible
for costs

2 Because plff has disposed of
his property & effects since the commencing
of this suit

Real Atty for Defl.

Wm K Abel

by
Carper Gracie

Notice to rule high
to Academy for costs

ended Dec 13' 1860

Oliver & Hovey
Clerks

Filed & Record 13th / 1860

Sanborn & Gracie

Hubelo
vs
Garcke

}

In the Jefferson Circuit

The defendant demurs to the
petition of plaintiff for the following grounds
of objection

1st- There is no cause of action
in petition & the charges are insufficient

2 The words spoken are not action-
able of themselves nor is there any
Colloquium connecting the words charged
with any circumstances for which an
action of slander will lie

3 The words alleged to be spoken
in the German Language are not-
set forth nor a translation of them
given

4 It is not actionable to charge
that plaintiff committed an offence
in Germany

5 There is no charge in petition
that defendant imputed or intended to
impute an criminal offence to plain-
tiff

J. L. Beal Atty
for Deft-

Wm H. Thibault

as

Carpet Sweeper

Dumars

2nd Decr 13th 1865

Chas J. Hooley

Clerk