

Jefferson County Circuit Court
Case Files - Civil
December 1863

Box 14 Folder 90

Hensley, James

vs.

Simsheuser, William
Dellmeyer, John F.
Webbels, John

Debt, note

Debt \$627.18; involved deed of trust

April 13th 1860

I enclose inclosed after date, are a receipt of
no promise to pay James H. Enoley or order,
the sum of six hundred and twenty seven
dollars and eighteen cents, for value re-
ceived with ten per cent interest per an-
num from date until paid.

William Finckh
John T. Patterson
To be paid

Wm. Finckh

Received of the Wm. C. Coker 24th 1863 Fifty Dollars
and Seventeen hundred and thirty and no 10/100

Received in the mission
made Coh. 24th 1863
thirty five and 9/10000

James Husley, Plaintiff,
Against
William Simshouser
John F. Dellmers
John Webbels, Defendants

In the Circuit Court
for the County of Jefferson
State of Missouri

December Term 1863,

Plaintiff states that Defendants by their promissory
note, herewith filed, dated April 13th 1863, prom-
ised for value Received, to pay Plaintiff
the sum of ~~four~~ hundred and twenty seven
Dollars and Eighteen Cents, Twelve months after the
date thereof that on the 24th of October 1863 Plaintiff
paid ~~the~~ ^{thirty five} ~~to~~ ^{and} ~~twenty~~ ^{ninety one} ~~four~~ ^{and} ~~four~~ ^{four} cents, that
the remainder of said note and the interest thereon
at the rate of two per cent per annum, is yet
due Plaintiff for which he asks judgment.

Saml. C. Hendrickson for
Plaintiff

Saml. C. Hendrickson Attorney for Plaintiff
makes oath and says that the above petition & the notes
therein as stated, he believes to be true
sworn to & subscribed by Saml. C. Hendrickson
before me this 26th day of
October 1863,

Elias S. Hooney — Clerk of the Circuit Court

James Menzies
 as { Petitioner
 vs James Menzies
 and J. Wetmore
 James Mitchell

Dated Dec 26, 1863

Edwin A. Menzies
 Clerk

3d paid by Officer
 and costs

Appt. 15
 Copy fee 25
 Court 50
 Post & Express 140
 Sundry 10
 Total paid 350
 3d paid 35
 Total 385

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

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

We command you, that you summon *William Simheuser*
John F. Stettner and John Webbels

if they be found in your County, that they
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
James Hensley

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

Witness, ELIAS F. HONEY, Clerk of our said Circuit
Court, with the seal thereof hereunto affixed, at office
in Hillsboro, this *twenty Sixth*
day of *October* A. D. 18*63*

Elias F. Honey

Clerk Circuit Court.



~~1727~~
TO JEFFERSON CIRCUIT COURT

December Term, 1863

James Kearney
vs & Summons
Wm. Simscheiser
Bro. J. Dittmer
John Wibbels

J. B. Dovershiff \$ 2,50

I Executed this writ at the County of Jefferson
State of Missouri on the 28th day of October 18⁶³
on John Wibbels by delivering to him a true
copy of this writ and annexed petition as
furnished me by the clerk he being the first
served also on Geo. J. Dittmer on the same day
by delivering to him a true copy of this writ
The within named Wm. Simscheiser not found
in my County this November 26th 1863
Jerome B. Dovershiff

James Hensley Plffs

³
John Webbels and John } In the Jefferson
F. Ditmers. Defendants } Circuit Court.
Dec. Term 1863.

Saw at this day Court said Defendants and for answer to the petition of the Plaintiff heretofore filed, admit that they executed the note in said petition mentioned but they allege that they signed said note as the securities of William Simsen.

Defendants aver that Plaintiff at the time of the execution of said note took a deed of trust from said Simsen for the better security thereof: that on the 14th day of August 1863, these Defendants gave said Plaintiff a written notice requiring him to proceed at once to collect the debt for which they were bound as securities, of said Simsen by selling the land mentioned in said deed of trust: that afterwards to wit on the 21st day of September 1863, these Defendants again gave notice in writing to said Hensley to institute suit forthwith against said Simsen and the other parties liable on said note but they aver that said Plaintiff did not within thirty days after the service of the first notice upon him, take any steps to sell said land under said deed of trust nor did he commence suit against said Simsen or the other parties liable

within thirty days after the service upon
him said Hensley of the second notice as
aforesaid nor has he instituted suit
against said Simmsin yet. Defend-
ants therefore say that as Plaintiff did
not comply with said notices according
to the statute in such cases made and
provided they are discharged from
any further liability on said note as
the securities of Simmsin. They
therefore demand Judgment for Costs,

Green & Hooney

Attys for Webbles
& Ditmers.

John Webbles makes oath & says that he
relieves the above answer and the mat-
ters as therein state are true.

Sworn to & subscribed before } John Webbles
on Dec. 7th / 1863. }
E J Hooney clk

James Denzley

3

Wheeler, Saltines

Shewee.

Filed Dec 3rd 1863

Geo & Henry
Ch

Willsboro, N.Y. Sept. 19th 1863

James Kennedy Esq;

Dear Sir, - We are hereby
notified and required to proceed at once
and without delay, to close, according to and
in pursuance of its terms, a certain deed of
trust given by William Windham to
secure two promissory notes, executed by
him as principal and signed by us as
his account, dated the 13th day of June
1860, payable to you, and to institute
suit forthwith against the said Windham
and other parties liable on said notes,

John F. Pittman
Jesse Mills

Sittment Wibbles,
To
Jas. Mansley Sr.
Notice

Filed May 17 1865
Samuel H. Papp
Clerk

I served the within Notice on James Bensley, Sr.
in Jefferson County Missouri, on the twenty first
day of September 1863, by delivering to him
a true copy of the same. John C. Bohne
Sworn to and Subscribed before

me, This Eighth day of April 1864
Samuel H. Papp, Clerk