

Jefferson County Circuit Court
Case files - Civil

December 1863

Box 15 Folder 10

Koenenman, Peter Hermann
VS

Bernman, John Herman

Sell real estate

225 acres in S30 T41R5E under
deed of trust securing \$500 note

Peter Koeneman, - Plaintiff
Against
John Herman Bermann, - defendant
In the Circuit Court of
Jefferson County Missouri

The Plaintiff states that on the 15th day of November 1860, the Defendant executed a Deed of Trust (here to the Court shown) whereby he conveyed to Alfred P. Messer, as Trustee, the following described Lands, situate in Jefferson County Missouri, to wit, the undivided West Southern one third part of the West half of section No. Thirty, in Township No. Forty one, of Range No. Five East, containing in the whole Tract Two hundred and twenty five acres and $\frac{54}{100}$ of an acre. Which said Deed of Trust, so executed and delivered, by Defendant to said Trustee, was made to secure to the Plaintiff the payment of a Promissory Note, therein described, made by defendant, whereby he promised to pay Plaintiff five hundred dollars, twelve months after the date thereof, with eight per cent interest from date and dated on the 15th day of November 1860. And said Deed of Trust gave to said Messer, or his representatives, or in case of his death, or absence from the State, then the Sheriff of said Jefferson County, power to sell the Lands aforesaid, upon failure to pay said Note, by giving twenty days notice, by advertisement published in some Newspaper, published in said Jefferson

County. - And Plaintiff States that there was a Newspaper printed in said County when said ~~deed~~ was made but that now there is none. - Plaintiff States that said Note has long since become due, and now remains wholly unpaid. Plaintiff therefore prays the Court to grant him relief against said accidental Circumstance, by a decree, authorizing the Sheriff of said Jefferson County, (the said Alfred P. Messer being dead) to Advertise a sale of the Lands aforesaid on the Terms Specified in said Deed of Trust, by an advertisement printed in some Newspaper printed in St. Louis, Missouri, to be published for twenty days before the day of sale, - and that Public Notice of such intended sale, so given, shall be as effectual to all intents and purposes, as if the same had been given by advertisement in a Newspaper printed in said Jefferson County, And to grant such other and further relief as may be consistent with Equity.

Abner Green
Attorney for Plaintiff

William Kaenemann, Agent for the Plaintiff, makes oath and says the above Petition and the matters therein as stated, he believes to be true.

sworn to before me

W. Kaenemann

Nov 7th 1863

Elias J. Horsey, Clerk



in Circuit Court
Jefferson County

2.00
1.00
1.20
55-

Peter Kormanow
vs,
John H. Bormanow

deposited
cost 25-

John H. Bormanow

20

petition
in Equity

deposited
cost 10

for summons
issued to J. B. H. to H.
Loring County

7. 26

J. H. Green
for H. B. H.

deposited 11 1863
C. H. H. H. H.

Peter A. Koeneleman Plaintiff }
Against }
John Herman Berman defendant }
In the Circuit Court of Jefferson-
son County Missouri

Plaintiff States that on the 15th day of November 1860 the defendant executed a deed of trust (here to the Court Shown) whereby he conveyed to Alfred P. Kesser as trustee the following described lands situate in Jefferson County Missouri to wit: the undivided west Southern one third part of the west half of Section thirty in Township No forty one of Range No five east containing in the whole two hundred and twenty five acres and $\frac{34}{100}$ of an acre. which said deed of trust so executed and delivered by defendant to said trustee was made to secure to the plaintiff the payment of a promissory note therein described made by defendant whereby he promised to pay plaintiff five hundred dollars twelve months after the date thereof with eight percent interest from date and dated on the 15th day of November 1860. And said deed of trust gave to said Kesser or his representatives or in case of his death or absence from the State then the Sheriff of said Jefferson County power to sell the lands aforesaid. upon failure to pay said note by giving twenty day notice by advertisement published in some

Newspaper published in said Jefferson County
And plaintiff states that there was a
newspaper printed in said County - when
said deed was made but that now there is
none. Plaintiff states that said note has
long since become due and now remains
wholly unpaid. Plaintiff therefore prays
the Court to grant him relief against said
accidental circumstance by a decree author-
izing the Sheriff of said Jefferson County
(the said Alfred P. Messer being dead) to
advertise a sale of the lands aforesaid on
the terms specified in said deed of trust
by an advertisement printed in some news-
paper printed in St. Louis Missouri to be
published for twenty days before the day
of sale and that public notice of such
intended sale so given shall be as effectual
to all intents & purposes as if the same had
been given by advertisement in a newspaper
printed in said Jefferson County - and to
grant such other & further relief as may
be consistent with equity.

Abner Green Attorney
for Plaintiff

William Koernemann agent for the plain-
tiff makes oath & says the above petition
and the matters therein as stated he
believes to be true. W. Koernemann

Sworn to before me
Nov 7th 1863,

Elias D. Honey Clerk }

True Copy of the original petition
on file in my office.

Witness my hand and seal
of said Court this 7th of Nov
1863

Elias D. Honey
Clerk



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

To the Sheriff of the County of ^{Saint Louis} Jefferson --- Greeting:

We command you, that you summon *John Hermann Permann*

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
Peter Koennemann

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 *Seventh*

day of *November* A. D. 18*63*



Elias F. Honey

Clerk Circuit Court.

58 2208

TO JEFFERSON CIRCUIT COURT

December Term, 1863

John H. Bermann

vs. } Bermann

John H. Bermann

Executed this writ in the County of St. Louis on the 9th day of November 1863 by delivering a copy of the writ and petition as furnished by the Clerk to John H. Bermann the within named Defendant.

Fees \$1.00
paid

John C. Vogel Sheriff
Julius W. L. Kurlbaum Esq.