

Civil Case: Joseph Nuttman vs Peter Sarff, et al.

Manasses Sarff	Co-signer of promissory note to Erwin & Henry Stuart; due April 1859	Oct. 1, 1858
Peter Sarff	Co-signer of promissory note to Erwin & Henry Stuart; due April 1859	
Erwin & Henry Stuart	Received promissory note from Manasses & Peter Sarff for 300.00	
Manasses Sarff	Co-signer of promissory note to Erwin & Henry Stuart; due April 1860	Oct. 1, 1858
Peter Sarff	Co-signer of promissory note to Erwin & Henry Stuart; due April 1860	
Erwin & Henry Stuart	Received promissory note from Manasses & Peter Sarff for 400.00	
Erwin & Henry Stuart	Assigned promissory note # 1 to Joseph Nuttman	Feb. 28, 1859
Joseph D. Nuttman	Received assigned note from Erwin & Henry Stuart	
Erwin & Henry Stuart	Assigned promissory note # 2 to Joseph Nuttman	Feb. 28, 1859
Joseph D. Nuttman	Received assigned note from Erwin & Henry Stuart	
Studabaker & Spencer	Attorneys for plaintiff	
Joseph D. Nuttman	Plaintiff	Aug. Term 1859
Peter Sarff	Defendant	
Charlotte Sarff	Defendant	
Manasses Sarff	Defendant	
Sarah Sarff	Defendant	
Joseph D. Nuttman	Complaint: The Sarffs gave promissory notes of 800.00 to Stuarts	
Erwin M. Stuart	To receive 800.00 on notes for mortgage from Sarffs	
Henry B. Stuart	To receive 800.00 on notes for mortgage from Sarffs	
Erwin & Henry Stuart	Assigned said notes to Joseph Nuttman	
Joseph D. Nuttman	Complains of non-payment of one note; the other is not yet due	
Joseph D. Nuttman	Asks judgment of 800.00 & foreclosure/sale of land	
David Studabaker	Attorney for plaintiff	
Wm. G. Spencer	Attorney for plaintiff	
Peter Sarff	Of Randolph Co., Indiana; summoned to answer to Nuttman complaint	Oct. 5, 1859
Charlotte Sarff	Of Randolph Co., Indiana; summoned to answer to Nuttman complaint	
Manasses Sarff	Of Randolph Co., Indiana; summoned to answer to Nuttman complaint	
Sarah Sarff	Of Randolph Co., Indiana; summoned to answer to Nuttman complaint	
James B. Simcoke	Clerk	

Roll No 33 (45)

Joseph D. Nuttman
to acct deb

Peter Sarff

Charlotte Sarff

Manassas Sarff

Sarah Sarff

1859

Box 15

State of Indiana, In the Court of Common Pleas
Adams County of Adams County; August
Term 1859.

Joseph D Nuttman } Complaint.

^{vs}
Peter Sarff Charlotte Sarff Manasses
Sarff and Sarah Sarff;

Joseph D Nuttman Plaintiff
in this action complains of Peter Sarff Charlotte
Sarff Manasses Sarff and Sarah Sarff defend-
ants in this action and says that hereto-
fore the said defendants executed a mortgage
conveying to ~~xxx~~ Erwin M Stuart and
Henry B Stuart the tract of land therein
described as security for the payment
of a debt evidenced by two promisory notes
which said Mortgage and a copy of each
of said promisory notes are filed herewith
and by incorporation made apart of this
complaint which said debt so evidenced
by said notes amounts to the sum of
eight hundred dollars with interest thereon and
and the plaintiff further says that the said
Erwin M Stuart and Henry B Stuart assigned
and transferred said notes and mortgage
to the plaintiff a copy of which said assign-
ments are herewith filed and by incorporation
made apart of this complaint; which said

notes with interest thereon remain wholly unpaid
and the Plaintiff demands Judgment
for the sum of eight hundred dollars
and the foreclosure of the said mortgage
and the sale of the said mortgage property
or so much thereof as may be

And the plaintiff further shows that one
of said notes is due and the other note
is not yet due and that said Real
Estate can not be divided and sold in
parcels without injury to the value
thereof and the plaintiff demands Judgment
for the sum of eight hundred dollars and the
foreclosure of the said mortgage and the sale
of the said mortgage property or so much thereof
as may be necessary to pay the plaintiff's debt
and for their proper relief:

David Macauley
Wm C Spencer Atty
Plaintiff

Copy of notes: On or before the first day of
April next we promise to pay to Edwin M &
Henry B Stuart or order three hundred
dollars interest at six percent from date
for value received having the valuation
and appraisment laws of the State of Indiana
Oct. 1st 1858. (signed) Manasseh Larff
Peter Larff

copy of assignment of the above note
February 28th 1859. We assign this note
to Joseph D. Nutman

Erwin M Stuart
Henry B Stuart

Copy of notes: On or before the first day
of April A.D. 1860 we promise to pay Edwin
M & Henry B Stuart four hundred dollars
with six percent interest from date for
value received having the valuation
and appraisment laws of the State of Indiana
Oct 1st 1858. (signed) Manasseh Larff
Peter Larff.

Copy of assignment
February 28th 1859. We assign
this note to Joseph D. Nutman
Erwin M Stuart
Henry B Stuart

Shirley & Spencer
Attys for Plaintiff

Randolph.

The State of Indiana, to the Sheriff of ~~Adams~~ County.

YOU ARE HEREBY COMMANDED TO SUMMON

Peter Sarff
Charlotte Sarff, Manasses Sarff
And Sarah Sarff.

To appear in the Court of Common Pleas of Adams County, on the 1st/₁₁ day of the next Term

thereof, to be held at the Court House in Decatur, on the 1st/₁₁ Monday in *November* next; then

and there to answer

Joseph D. Nuttman on a Complaint
to foreclose a mortgage

and of this Summons make due return.

WITNESS, the Clerk and Seal of the Court, this 5th/₁₁ day of

October 1857

James B. Smicoke CLERK, C. C. P.