

13777

No. \_\_\_\_\_

# Supreme Court of Illinois

Rainey

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vs.

Batten

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71641  7

Held before the Circuit Court of Marshall County  
in the State of Illinois at a Term thereof begun and  
held at the Court House in the City of Lacon in  
said County on Monday the second day of May in the  
year of Our Lord One thousand eight hundred and  
fifty nine. Present Hon Mark Bangs judge of the  
23<sup>d</sup> judicial Circuit of the State of Illinois presiding,  
Henry Miller States attorney for said judicial Circuit  
Thomas Ellis Sheriff of said Marshall County and  
James Wescott Clerk of said Circuit Court.

Thursday May 12<sup>th</sup> A. D. 1859

James C. Rainey }  
vs. } Assumpsit.  
Nathaniel Patton }

This day came the plaintiff by Rainey,  
" by his attorney and the defendant by Miller his attorney  
and the parties waived a jury and agreed that this cause  
" be submitted to the Court for trial upon the issues  
joined between them, and the Court, having heard the evi-  
" dence and being fully advised in the premises doth find  
that the defendant did assume and promise in manner  
and form as the said plaintiff hath in his declaration  
alleged against him, and do assess his damages at  
the sum of five hundred and eighty nine dollars and six-  
" ty eight cents. Therefore it is considered by the Court  
that the said James C. Rainey have and recover of the said  
Nathaniel Patton the said sum of five hundred and eighty

nine dollars and sixty eight cents his damages aforesaid  
in form aforesaid assessed, also his costs in this behalf  
expended, and that he have execution therefor.

Saturday May 14<sup>th</sup> A. D. 1859

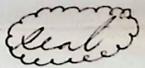
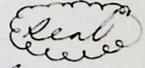
James C. Rainey  
vs  
Nathaniel Patten } Assumpsit.

This day again came the Defendant  
by his attorney and prayed an appeal to the Supreme  
Court of this State which appeal is allowed upon the  
defendants filing a Bond in the sum of twelve hundred  
dollars conditioned according to law. with Forsyth  
the Patten as security in thirty days from the last  
day of the present Term of this Court.

Know all men by these presents that we Nathaniel Patten  
as principal and Forsyth the Patten as surety are held  
and firmly bound unto James C. Rainey in the penal  
sum of twelve hundred dollars, for the payment of which  
as well and truly to be made, we bind ourselves our  
heirs executors and administrators, jointly severally  
and firmly by these presents. Witness Our hands and  
seals this 7<sup>th</sup> day of June A. D. 1859.

The condition of this obligation is such that Whereas  
the said James C. Rainey, at the May Term A. D. 1859

of the Marshall County Circuit Court, recovered a judgment against the above bounden Nathaniel Patton for the sum of Five Hundred and Eighty nine dollars and Sixty eight cents and costs of suit from which judgment the said Nathaniel Patton has taken, an appeal to the Supreme Court of the State of Illinois Now if the said Nathaniel Patton shall prosecute his said appeal with effect and without delay and shall pay and satisfy the judgments, costs interest and damages, which may be awarded by the said Supreme Court in case said judgment shall be affirmed, then this obligation to be void else to remain in full force and effect.

Nathaniel Patton   
 Forsythe Patton 

Endorsed "Filed June 15. 1859 James Wescott Clerk"

State of Illinois  
 Marshall County } ss

J. James Wescott Clerk of the Circuit Court in and for said County and State do certify that the foregoing is a correct copy of the judgment, order granting appeal and appeal Bonds in the suit of James C. Rainey against Nathaniel Patton as the same appears of record and on file in my office.

In Witness Whereof I hereunto set my hand and the seal of said Court at my office in Lacon in said County this 17th day of April A.D. 1860

James Wescott. clerk

clerk fees

Transcript 75

Cert fees 25  
 71.00

312

James W. Rainey

vs.

Michael Patton

312

Filed April 20, 1868  
L. Selous  
Clk.

\$ 589.68  
05  

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27.48 40

1377

Kearney Atty.  
s/H clk.

