

13631

No. _____

Supreme Court of Illinois

Collins

vs.

Evans

State of Illinois
Hann County

I Mrs Laferty Clerk of the
Circuit Court in and for said County do hereby
certify that the above and foregoing is a true
copy of the Order and Bond in the foregoing
Case as the same appears from the records and
files of my office



In Testimony whereof I have hereunto
set my hand and affixed the Seal of our
said Circuit Court at my office in Monm
outh this 22^d day of April AD 1862
Mrs Laferty Clerk

313

Jm Collins

vs

James N Evans

Filed April 24 1862

L. Leland
Clerk

13631

1862

2/10
53.10
5.30.00

Fee # 125

Paid by Plaintiff

State of Illinois
Warren County

Pleas before the Honorable Aaron
Tyler Judge of the tenth Judicial Circuit of the State
of Illinois. At a Circuit Court begun and held at
the Court House in Mornmouth in the said County
of Warren and State of Illinois. On the third
Monday in the month of March in the year of our
Lord One thousand eight hundred and sixty one
It being the eighteenth day of said month.

Present Now Aaron Tyler Judge
James H. Stewart States Attorney
David Lumbell Sheriff
Wm. Leaferty Clerk

William Collins
vs
James A. Evans 3 Appeal

And afterwards to wit on the 8th day of April AD 1861
the following order was entered upon the records of
said Court which is as follows to wit:

William Collins
vs
James A. Evans 3 Appeal

This day came the parties by
their attorneys, and issue being joined for trial they
put themselves upon the County. Thereupon came a
jury to wit. S. T. Mc Bride, John G. Doverso, Cherington

Coates, C. F. Bissell, W. H. Kelly, John Lorimer,
J. B. Charleston, C. W. Sittleton, Nathaniel Cecil
B. A. Allen, Franklin Purdy & James Curran
who being duly elected tried and sworn to well and
truly try the issue joined herein, and the hour
for supper having arrived the jury were permitted
to separate under the instructions of the Court, and
required to meet the Court this evening at seven
o'clock, Court met at seven o'clock and one of
the jurors being absent it was agreed by the parties
that they would try the case with eleven, who after
hearing a part of the evidence were again permitted
to separate and required to meet the Court at 8 1/2
o'clock tomorrow morning.

And afterwards On the 9 day of April A.D. 1861 the follow-
ing order was entered upon the records of said Court,

William Collins

vs

Appeal

James N. Evans

This day again came the parties
by their Attorneys and also came the eleven jurors
empaneled herein, and after hearing the conclusion
of the evidence, and the argument of Counsel, and
receiving the instructions of the Court, retired to consider
of their Verdict, and again returned into Court, and
upon their Oaths do say, "Be the Jury find for the Plaintiff
and assess his damages, at the sum of Fifty three dollars
and eighty two cents. Thereupon came the defendant

And recuses his motion for a new trial herein.

And afterward On the 12th day of April AD 1861 the following order was entered upon the records of said Court,

Williams Collins
vs
James O Evans } Appeal

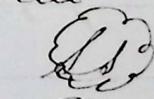
This day again this Cause coming on to a hearing on the defendants motion for a new trial herein, And after hearing the same it is ordered by the Court that the motion be overruled, And that judgment be rendered on the Verdict of the Jury herein, Therefore it is considered by the Court that the said Plaintiff have and recover of and from the said defendant the sum of Fifty three dollars and eighty two cents, being the amount so found by the Jury aforesaid together with his costs by him in this suit laid out and expended as well in the Court below as in this Court, and may have execution therefor, Thereupon came the said defendant and prayed an appeal to the Supreme Court, which is allowed by the Court upon the said defendant entering into bond in the sum of Three hundred and fifty dollars, with Security to be approved by the Clerk of this Court by agreement of the parties herein, upon giving the opposite party notice of the time of Appraising Bond, Bond and Bill of Exceptions to be filed in thirty days from this date,

Copy of Bond

Know all men by these presents that we
James O Evans & Curtis H Boydston are held
and firmly bound unto William Collins in the penal
sum of Three hundred and fifty dollars Lawful
money for the payment of which 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
4th day of May Anno Domini, One thousand eight
hundred and sixty one,

The Condition of the above obligation is such, that
whereas William Collins did on the 12th day of April
1861 in the Circuit Court within and for the County of
Warren, and State of Illinois, recover a judgment
against the above bounden James O Evans for the
sum of Fifty three dollars and eighty two cents and
costs of suit, from which judgment of said Circuit
Court, the said James O Evans has prayed for and
obtained an appeal to the Supreme Court of said State
Now, if the said James O Evans shall duly prosecute
his said appeal with effect, and shall moreover pay
the amount of the judgment, costs, interest and dam-
ages, rendered and to be rendered against him in
case the said judgment shall be affirmed in the said Sup-
reme Court then the above obligation to be null and
void otherwise to remain in full force and virtue

James O Evans



C H Boydston



Filed May 7th 1861

W. Lafay Club

Approved by me this 7th day of
May AD 1861, W. Lafay Club