

No. 13835

Supreme Court of Illinois

Reese

vs.

Hayman et al

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United States of America }
State of Illinois } SS
Cook County }

Pleas before the Honorable John M Wilson Judge of the Cook County Court of Common Pleas within and for the County of Cook and State aforesaid, at a special Term of the Cook County Court of Common Pleas begun and held at the Court House in the City of Chicago in said County in pursuance of an order of the Judge thereof, and to public notice given in accordance with the statute in such case made and provided, on the First Tuesday being the second day of June in the year of our Lord one thousand eight hundred and fifty seven, and of the Independence of the United States the Eighty first

Present the Honorable John M Wilson Judge
Carlos Haven Prosecuting Attorney
John S Wilson Sheriff
Walter Kimball Clerk
Attest

Be it remembered that heretofore to wit on the twenty ninth day of June in the year of our Lord one thousand eight hundred and fifty seven, said day being one of the days of the June Special Term of the Cook County Court of Common Pleas, the following among other proceedings were had in said Court and entered

of record to wit

James E Rease

Spumpset

^{vs}
Calib G Hayman and
Joshua J Hayman

And now at this day comes the said plaintiff by James P Root his attorney, and the said defendants by Williams & Woodbridge their attorneys, also come, and issue being joined herein. It is ordered that a Jury come and thereupon come a jury of good and lawful men to wit. J R Allen P W Kelly Peter Brackett A, T. Richards, W Maitland James Jackson C D Nichoff A H Gray, T Kent, T J. McMaster S Doyle A Blainston who being duly elected tried and sworn well and truly to try the issue joined herein as aforesaid after hearing the evidence adduced and the arguments of counsel, and instructions of the Court retire to consider of their verdict and by agreement of said parties it is ordered that when the jury shall have agreed upon a verdict, they may reduce the same to writing, sign and seal the same, and afterwards be permitted to separate to meet the Court here at the opening thereof on tomorrow morning

And afterwards to wit on the thirtieth day of June in the year aforesaid said day being

still of the June Special Term of said Court
the following among other proceedings were
had in said Court and entered of record
to wit

James E Rease

vs

Assumpsit

Caleb G Hayman &
Joshua J Hayman

And now at this day again comes

the said plaintiff by his said attorney and
the said defendants by their said attorneys also
come, and the jury come into Court and say
we the jury find the issue for the plaintiff and
assess the said plaintiffs damages to the sum
of six Hundred dollars

And thereupon the said defendants enter
herein their motion for a new trial of this
cause, on argument of which by the counsel
of the said parties, the court here being now fully
advised in the premises, it is ordered that
defendants said motion be overruled, to
which ruling of the court the said defend-
ants enter their exceptions

Therefore it is considered that the said
plaintiff do have and recover of the said
defendants his damages of Six hundred
dollars in form aforesaid by the jury here

assessed, and also his costs and charges
by him about his suit in this behalf expended
and have execution therefor

And thereupon the said defendants
pray an appeal to the Supreme Court of the
State of Illinois which is allowed on his filing
his Appeal Bond with security to be approved
by the Judge of this Court and also his Bill of
exceptions, within ten days from this day

And afterwards to wit on the ninth day
of July in the year aforesaid, said day
being one of the days of the July Vacation
Term of said Court the following among
other proceedings were had in said Court
and entered of record to wit

James C Pease

Assumpsit

vs
Caleb G Hayman and
Joshua J Hayman

And now come the said defend-
ants by Williams & Woodbridge their attorney
and on their motion, it is ordered that the
time allowed them to file their Appeal
Bond and Bill of Exceptions in this cause
be extended to Monday next

And afterwards to wit on the tenth day of July in the year aforesaid, the defendants filed in the office of the Clerk of said Court their Appeal Bond in the words and figures as follows to wit

Know all men by these presents, that we Caleb G Hayman & Joshua J Hayman as principals and Kern & Mason as surety are held & firmly bound unto James E Reese in the penal sum of one thousand (\$1000) dollars to the payment of which to the said Reese his executors administrators or assigns we do bind ourselves our heirs executors & administrators jointly severally & firmly by these Presents. Sealed with our seals & dated this ninth day of July A.D. 1837

The condition of this obligation is such that whereas a judgment was rendered in the Cook County Court of Common Pleas in the State of Illinois in a suit in said Court pending wherein the said James E Reese was plaintiff & the said Caleb G Hayman & Joshua J Hayman were defendants at the June Special term of said Court in the year A.D. 1837 (which suit was an action of trespass on the case upon promises) for the sum of

six hundred dollars and costs of suit
whereas the said Caleb G & Joshua J
Hayman have prayed an appeal from
the said judgment to the Supreme Court
of the State of Illinois. Now therefore if the
said Caleb G and Joshua J Hayman
shall pay to the said Reese the judgment
costs, interest, & damages in said suit
in case the judgment shall be affirmed
& shall duly prosecute their appeal in this
cause then this obligation shall be void
otherwise it shall be & remain in full force
& virtue

Signed Sealed & delivered

Caleb G Hayman *(Seal)*

In presence of

Joshua J Hayman *(Seal)*

Approved by me

By Caleb G Hayman his Atty in fact

John M Wilson Judge &c Andrew Mason *(Seal)*

State of Illinois }
Cook County } ss

I Walter Kimball Clerk of the Cook
County Court of Common Pleas within &
for said County and State do hereby certify
that the above and foregoing is a true copy
of the judgment entered of record, in said
Court, and of the Appeal Bond filed in the
office of the Clerk of said Court in the case
wherein James E Reese is plaintiff
and Caleb G Hayman and Joshua
J Hayman are defendants, and I do further certify that
said defendants have never called for a transcript of

said cause for the Supreme Court



In testimony whereof I hereunto
set my hand and affix the seal
of said Court at Chicago in
said County this 20th day of May
AD 1838

Walter Kimball, Clerk

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James C. Reese

vs
Caleb G. Hayman
& Joshua J. Hayman



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Transcript of Judgt

Filed May 21. 1858.

L. Deland
Clerk.

Judgt \$600.00
Dgt. \$30.00

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