

No. 13490

Supreme Court of Illinois

Waugh, et al.

vs.

Webber, et al.

71641  7

State of Illinois
County of Henry } Pleas before the Hon John H Howe
Judge of the 6th Judicial Circuit
at a Special Term of the Circuit Court begun and
holden at the Court House in Cambridge in said County
on Monday the 16th day of April in the year of our
Lord One thousand eight hundred and sixty being
the third Monday of said Month

Present Hon John H Howe Judge
Thomas Wiley Jr Clerk
Samuel H Sniff Sheriff

And afterwards to wit and at the Term aforesaid and
on the third day of May the following among other
proceedings were had to wit -

Christopher C Webber	}	vs	Trespas
Henry Pultz			
John M Waugh			
Benjamin J Sisson			

At this day came the plaintiffs by
Knox & Reed their Attorneys. and the defendants by
Beardsley & Smith and Shallenbarger their Attorneys
and this cause coming on to be heard. and issue
joined by the parties. It is ordered by the Court that
a jury be called. and thereupon to try this cause came

State of Illinois
County of Henry } Pleas before the Hon John H Howe
Judge of the 6th Judicial Circuit
at a Special Term of the Circuit Court begun and
holden at the Court House in Cambridge in said County
on Monday the 16th day of April in the year of our
Lord One thousand eight hundred and sixty being
the third Monday of said Month

Present Hon John H Howe Judge
Thomas Wiley Jr Clerk
Samuel H Sniff Sheriff

And afterwards to wit and at the Term aforesaid and
on the third day of May the following among other
proceedings were had to wit -

Christopher C Webber	}	Jespa
Henry Pultz		
As		
John M Waugh		
Benjamin J Sisson		

At this day came the plaintiffs by
Knox & Reed their Attorneys. and the defendants by
Beardsley & Smith and Shallenbarger their Attorneys
and this cause coming on to be heard. and issue
joined by the parties. It is ordered by the Court that
a jury be called. and thereupon to try this cause came

the jurat of a jury of good and lawful men to wit
George Tan. J. S. Hutchinson, J. S. Sturges, Geo. Richards
James Mackeney, M. Ricket, James Lattimer, John Raga
J. C. Conner. George Bice. W. Hebert, J. S. Johnson
who were duly elected chosen and sworn to well and
truly hear the evidence decide the issues herein, and a true
verdict render according to the evidence, and the jury
having heard the evidence. The arguments of the counsel
and all things to be adduced herein, return into Court
their verdict in words and figures following to wit
"We the jury in this cause find for the plaintiffs and
assess their damages at Four hundred and thirty one
& 96/100 Dollars" Which is by the Court approved and ordered
to be entered upon the record. Whereupon it is ordered and
adjudged by the Court. that the said plaintiffs have
and recover of the said defendants the said sum
of Four hundred and thirty one & 96/100 Dollars
Judgment together with their costs in this behalf expended
and that they have execution therefor against the said
defendants. And now upon the rendition of said judgment
comes the said defendants by their and enter their
motions for a new trial in this case -

And afterwards to wit at the Term aforesaid and on
the 10 day of May the following proceedings were
had in said cause to wit

And now at this day of the term this cause being again called, and on the hearing of the motion for a new trial. The same is by the Court overruled. Whereupon the said defendants by their attys aforesaid Take exception to the ruling and judgment of this Court and pray an appeal to the Supreme Court of the State of Illinois which appeal is granted, and thirty days given the defendants to prepare and file their Bill of Exceptions and file their Bond to be approved by the Clerk in the sum of One thousand Dollars

And afterwards to wit on the 25th day of May AD 1860 the said defendants file their Appeal Bond ~~with the~~ in the Office of the Clerk of said Court which reads in the words and figures following to wit -

Know all men by these presents that we John M Waugh Benjamin T Lison as principals. Nathaniel B Gould & A Gould as security are held and firmly bound unto Christopher Webber. Henry Putz in the penal sum of One thousand dollars. for the payment of which we hereby bind ourselves our heirs, executors and administrators jointly, severally and firmly. Witness our hands and seals this 25th day of May AD 1860. The condition of this obligation is such, that whereas the above named Christopher C Webber and Henry Putz

did at the April Special Term of the Henry County Circuit Court recover a Judgment against the above bondsmen John M Waugh and Benjamin J Sirson for the sum of Four hundred and thirty one Dollars and Ninety Six cents from which Judgment the said Waugh and Sirson have taken an Appeal to the Supreme Court of the State of Illinois. Now therefore if the above bondsmen John M Waugh and Benjamin J Sirson shall well and truly pay and satisfy the said Judgment together with all costs, interest and damages in case said Judgment shall be affirmed and shall prosecute their said Appeal to affect then this obligation to be void she to remain in full force and virtue

John M. Waugh (Seal)

Benjamin J. Sirson (Seal)

A. Govee (Seal)

N B Govee (Seal)

State of Illinois
Henry County } I Amos Govee Clerk of the Circuit
Court for said County do hereby certify
that the foregoing is a full true and perfect copy of the
Record of the Judgment and order allowing appeal
to the Supreme Court in said cause and also a true
copy of the Appeal Bond in said Cause filed
in my Office. Witness Amos Govee Clerk of said Court
and the seal thereof at Cambridge Mass 10 day of April
A D 1861

Amos Govee Clerk
D D

326

~~to the~~
Naught & Sisson
vs.

Chas. Webster et al

Copy of Judgment

Filed April 25: 1861
L. Leland
Clerk

1861

Int. \$ + 31 90 4
21:59 80
13 490
5 per cent