

14025

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

# Supreme Court of Illinois

Moulton

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vs.

Johnson

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Thomas Moulton }  
vs }  
Abraham Johnston }  
Plaintiffs vs

Appeal from Justice of the Peace,

1854  
June 18 Filing proc for writ 06 1/4 subpoena & filing, 54 1/4 62 1/2  
Oct 11 Summons, 4 Witnesses 25 - 4 affidavits 50 - filing, aff 06 1/4 8 1/4  
" " Entering, Plaintiffs atty, 12 1/2 12 1/2  
Witnesses fee  
B. Bond, J. Sheffield, J. W. Bond Jr. & J. Long, each  
2 days at 50 cts per day 4 00  
Sheriff's fee, P. R. Huley  
on subpoena 8.87 1/2 calling jury 50 9 37 1/2

1856 Defendants costs,  
May 18 Filing papers, taking bond, issuing sum & supersedeas 50  
Docketing writ 12 1/2 Ent depts atty, 12 1/2 25  
Calling & answering jury 18 3/4. hearing, 2 Witnesses 12 1/2 43 3/4  
Ent verdict jury 12 1/2 Entering judgement 25 37 1/2  
Filing bill of exceptions 06 1/4 Summing depositions to questions 6 1/4 12 1/2  
Entering motions for an appeal to Supreme Court 25  
Ent order for appeal 25 - Taking appeal bond 50 75  
Filing appeal bond 06 1/4 Entering bill of costs 37 1/2 43 3/4  
Copy of bill of costs 25 - copy of Record 46. 3700 words }  
at 12 1/2 for 72 words 6. 37 1/2 } 6 62 1/2  
Docket fee 2.50 Jurors fee 1.50 4 00

Sheriff's fee P. R. Huley,  
on supersedeas 3.25 - Summons to appellant 2.12 1/2 5 37 1/2

Costs before Justice  
Justice costs Copy Bond 1.17 1/2 Constable J. W. Bond 1.55  
Witnesses fee J. W. Bond sum 50. J. Sheffield 50 B. Bond 50.  
Jurors fee 1.50 5 72 1/2

State of Illinois  
Marion County, Circuit Court Clerk's office  
Monmouth Oct 20 - 1856. I hereby certify that  
the foregoing is a true copy of the fee bill in the  
above suit as appears of Record in my office  
Daniel McNeil Jr. Clerk 38 67 1/2

Thomas Moulton

17

Abraham Johnson

See bill \$38,65 1/4

14025

Let the Jury in the case of Thomas Moulton  
vs. Abraham Johnson agree in a verdict for  
Plaintiff of seventy-one  $\frac{65}{100}$  dollars & cts.

Oct 11, 1836

J. B. Patterson

D. Parker

Hugh Sash

J. B. Halliday

Edward Gordon

K. Beent

A. L. Tomeson

C. Dewese

C. Tammaliff

John J. Underhill

W. S. Jameson

Henry Proffitt

Thomas Moulton  
vs  
Abraham Johnson  
Verdict of Jury  
\$71.65

Filed Oct 10<sup>th</sup> 1836  
Daniel McNeil J. Clerk

Verdict of Jury  
in favor of  
T. Moulton  
(Johnson)

STATE OF ILLINOIS,  
WARREN COUNTY.

} SCT.

The People of the State of Illinois, to *John C. Bond*

Esq. Justice of the Peace, and *J. M. Bond*

Constable, in, and for said County and State, GREETING.

WHEREAS, in a certain suit lately depending before you, the said

*John C. Bond* Esq. wherein <sup>(or his successor in office)</sup> *Thomas Moulton*

was plaintiff and *Abraham Johnson* was

defendant judgment has been rendered in favor of the said *Thomas Moulton*

for the sum of *Twenty* dollars, and *5, 7 2/4* cents costs, as by the transcript of the said judg-

ment, from the docket of the said Justice of the Peace, filed in the clerk's office of our circuit court, in, and for the said county and state, by the said *Abraham Johnson* in this behalf appears; and whereas the

said *Abraham Johnson*

has taken an appeal from the said judgment, to the said circuit court, and has given bond with approved security to the said *Thomas Moulton*

conditioned according to law; which said bond is filed as of record in the said clerk's office: we therefore command and enjoin you,

and each of you, the said *John C. Bond* and *J. M. Bond* so being justice of the peace,

and constable as aforesaid, that you do entirely supersede, and desist from proceeding any further in said suit, and from the issuing and executing any process therein; and that you do forthwith suspend all proceedings in relation thereto, and cease from molesting the said *Abraham Johnson*

in any wise on that account, until our said circuit court shall make other order to the contrary. And this you are in no wise to omit at your peril.

WITNESS the Hon. RICHARD M. YOUNG, Judge of our said circuit court at Monmouth, this *eighteenth* day of *May* A. D. 183*6*, and of the independence of the United States the *18th*

Attest, *Daniel McPherson* Clerk.

To the Sheriff of Warren County }  
to execute. }

STATE OF MISSOURI  
 COUNTY OF WARREN  
 JUDGE OF THE COURT

IN SENATE

J. G. Haley

Received the 18th May at 3 o'clock P.M.  
 1836. J. G. Haley

Served on the within named on the 24 day  
 May 1836 at 4 o'clock P.M. by reading it in his hearing

Cost  
 serving - - - - \$ 50  
 22 Miles travel - - - - 1 37 1/2  
 returning summons - - - - 1 1/2  
 J. G. Haley Dep for  
 J. G. Haley shiff W. G. \$ 25

Served on John Smith successor of S. C. Bond  
 by reading in his hearing on the 22<sup>d</sup> July  
 1836 at 9 o'clock P.M.

Cost  
 serving - - - - \$ 50  
 12 Miles travel - - - - 75  
 returning summons - - - - 1 2 1/2

Thomas Moulton  
 107  
 Abraham Johnson  
 Superior deas

Filed Oct 10 1836  
 D. M. Nye & Clerk

STATE OF ILLINOIS, }  
WARREN COUNTY } SS

The People of the State of Illinois, to the Sheriff of Warren

County, and State of Illinois, GREETING:

WE COMMAND YOU to summon *Benj Bond, Jesse M. Bond & Joel Long*  
*John Shuffell & William Mc Mahill*

if they shall be found in your County, personally to be and appear before the Circuit Court of the said  
County of Warren on the *first* day of the next term thereof, to be holden at the Court house

in Monmouth on the *second* Monday in the month of *October* next, to testify  
and the truth to speak, in a certain action now depending and undetermined in the said Circuit Court

wherein *Thomas Moulton* is \_\_\_\_\_

plaintiff, and *Abraham Johnson* is \_\_\_\_\_

defendant, in a plea of *an appeal from Justice of the Peace*

on the part of the said *Plaintiff*: and this they shall in no wise omit, under the penalty of what  
the law directs. And have you then and there this writ, and make return thereof in what manner you  
execute the same.

WITNESS, the HON. RICHARD M. YOUNG, Judge of our said Circuit  
Court, at Monmouth this *18* day of *June* A. D. 1836  
and of the independence of the United States the *11th* day of *June*

Test, *Daniel McVay* CLERK.

*Served on Ben Bond Jesse M Bond Joel Long*  
*Wm Mc Mahill & Shuffell by reading in their*  
*hearing on the 29 & 30 of Sept 1836* *D. McVay Dep for*  
*J. G. Maly Dep for*

SUBPOENA.

REGISTER PRINT

[QUINCY, ILL.]

Thos Moulton

<sup>103</sup>  
Abraham Johnson

Subpoena for  
Benj Bond J. W. Bond Jr,  
Jel Long J. Sheffield &  
Wm Mc Mahill

Received Sept the 17<sup>th</sup> 1836  
at Noon of W. Haley Esq

for G. G. Haley, Sheriff  
served on the within named  
by reading in their hearing  
on the 29<sup>th</sup> & 30<sup>th</sup> Sep 1836

Cost  
to 18 Miles travel to J Long B. 1.12  
to serving on S. Long - 50  
to 20 Miles travel 1.25 & serving  
50 on B. Bond - - - - 1.75  
to 22 Miles travel 1.37 &  
serving on Wm Mc Mahill 1.80  
to 20 Miles travel 1.25  
serving on Jesse W. Bond 1.75  
to 20 Miles travel 1.25  
serving on J. Sheffield 50 1.75  
returning summons 12  
This 3<sup>rd</sup> Oct 1836 \$8.87 1/2

W. Haley Debt for  
G. G. Haley Sheriff W. T.

Filed Oct 10<sup>th</sup> 1836

D. M. Neil J. Clerk

State of Illinois }  
Marion County } Circuit Court Oct Term 1834

We Benjamin Bond, John Sheffield, Jesse W.  
Bond and Loll Long do solemnly swear  
that we have each attended two days in the  
Case of Moulton vs Johnson as witnesses at  
~~the~~ ~~instance~~ of the Plaintiff in obedience of  
a subpoena  
Dawn and subscribed  
in open court before me Jesse W Bond Jun  
this 11<sup>th</sup> day of Oct 1834

Daniel McNeil Clerk

Thomas Moulton

vs

Abraham Johnson

affidavit of attendance  
of Witnesses

Filed for open Court  
At 11<sup>th</sup> 1836.

Daniel M. Neil J. Clerk

KNOW ALL MEN BY THESE PRESENTS, That we *Abraham Johnson*  
*son* and *Elijah Davidson* of the County of *Warren*  
and State of *Illinois*, are held and firmly bound unto *Thomas Moul-*  
*ton*, of the County of *Warren* and State of *Illinois*  
in the penal sum of *one hundred and fifty*  
dollars, current money of the United States, for the

Payment of which, well and truly to be made, we bind ourselves, our heirs, executors and adminis-  
trators, jointly, severally, and firmly by these presents. Witness our hands and seals at the Clerk's  
office in *MONMOUTH*, this *eighteenth* day of *May* A. D. 183*6*

The condition of the above obligation is such, that whereas the said *Thomas Moul-*  
*ton* did on the *tenth* day of *May* in the year of  
our Lord one thousand eight hundred and thirty *six* before *John C.*

*Pond* Esq. a Justice of the Peace in, and for the  
County of *WARREN* and state of *Illinois*, recover a judgment against the above bounden

*Abraham Johnson* for the sum of *seventy*  
dollars, and \_\_\_\_\_ cents, debt and *five* dollars, and

*72 1/2* cents costs; from which said judgment of the said Justice of the Peace the said

*Abraham Johnson* has taken an appeal to  
the Circuit Court of said County and State, Now if the said *Abraham Johnson*

shall pay the said debt and costs, in case the said judgment shall be affirmed on the trial of the said  
appeal in the said Circuit Court, then the above obligation to be void, otherwise to remain in

full force and virtue.

Taken, and entered into, before me,  
at my office in *MONMOUTH*, this *18*  
day of *May*  
A. D. 183*6*.

Attest *Daniel M. [Signature]* Clerk.

*Abraham Johnson* [L. S.]

*Elijah Davidson* [L. S.]

[L. S.]

Thomas Moulton

<sup>As</sup>  
Abraham Johnson  
Appel Bond \$150,00

Filed May 18<sup>th</sup> 1856  
Daniel McNeil, Clerk

	30.00
	2270
	<sup>20.</sup> 50.00
	<u>6.25</u>
2270	
<u>4540</u>	
25	
<u>4565</u>	
	25
	<u>125</u>
	2625
	<u>4540</u>
	<u>7165</u>

KNOW ALL MEN BY THESE PRESENTS, That we *Abraham Johnson*  
and *Ezekiel Snapp* — — of the County of *Warren*  
and State of *Illinois* — , are held and firmly bound unto *Thomas*  
*Moulton* of the County of *Warren* and State of *Illinois*  
in the penal sum of *two hundred* \_\_\_\_\_  
\_\_\_\_\_ dollars, current money of the United States, 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 at the Clerk's office in MONMOUTH, this *Twelfth* day of *October* A. D. 183*6*.

The condition of the above obligation is such, that whereas the said *Thomas*  
*Moulton* did on the *eleventh* day of *October* in the year of  
our Lord one thousand eight hundred and thirty *six* , in the Circuit Court, in, and for the  
County of WARREN, and state of Illinois, recover a judgment against the above bounden  
*Abraham Johnson* for the sum of *seventy one*  
dollars, and *fifty percents*, damages and *twenty eight* dollars, and  
*65 1/4* cents costs; from which said judgment of the said Circuit Court, the said  
*Abraham Johnson* has prayed for, and obtained an appeal to  
the Supreme Court of said State. Now if the said *Abraham Johnson*  
shall duly prosecute his said appeal with effect, and shall moreover pay the amount of the judgment,  
costs, interest, and damages rendered, and to be rendered against him, in case the said judgment  
shall be affirmed in the said Supreme Court, then the above obligation to be void, otherwise to remain  
in full force and virtue.

Taken, and entered into, before me,  
at my office in MONMOUTH, this *12*  
\_\_\_\_\_ day of *October*  
A. D. 183*6*.

*Abraham Johnson* [L. S.]  
*Ezekiel Snapp* [L. S.]  
[L. S.]

Attest, *Daniel McKee*, Clerk.

Thos Moulton  
Abraham <sup>vs</sup> Johnson  
appeal Bond \$200,

Filed Oct 12 1836  
D. McWat & Clerk

100

Thomas Moulton

vs  
Abraham Johnson } appeal from Justice of the Peace

The Clerk of the Western Circuit Court,  
will issue a subpoena for Benjamin Bond,  
Lepe W. Bond Jr., Del Long, John Sheffield  
and William Mc Mahill, in the above case  
at the next term of the Court to be held  
at Monmouth in behalf of the Plaintiff  
June 18<sup>th</sup> 1836.

Thos Moulton

Thos Moulton

<sup>27</sup>  
Abm Johnson

Order for subpoena

Filed and before -  
Held June 18<sup>th</sup> 1834  
D. McNeil of Clerk

Thomas Moulton ) May the 10<sup>th</sup> 1836  
 vs )  
 Abraham Johnston ) the nature of the debt is  
 Prairie the amount for fencing and Braking  
 and for fencing 45 dollars the process is hued  
 on the 5<sup>th</sup> of May and given to J. W. Bond, Con  
 of O. C. and returned on the tenth of  
 Same Month the plaintiff Met and  
 went in to trial and obtained judgement  
 against the defendand for 70 dollars principal  
 and cost of suit the trial By jury the  
 names of jury James D. Smith, James Simmons  
 Wm. Taylor, D. R. Jenkins, Peter Simmons  
 Elizah Baham, fees of jury \$1.50 witnesses  
 fees \$1.50 names of witnesses names  
 Jesse W. Bond Secy Benjamin Bond John  
 Sheffield

Justices fees for  
 Summons 18 <sup>3</sup>/<sub>4</sub>  
 for two Subpenas 37 <sup>1</sup>/<sub>2</sub>  
 for swearing jury 12 <sup>1</sup>/<sub>2</sub>  
 entering judgement 10  
 docting suit 12 <sup>1</sup>/<sub>2</sub>  
 for jury warrant 25  
 for swearing  
 witnesses 06 <sup>1</sup>/<sub>4</sub>  
 117 <sup>3</sup>/<sub>4</sub>

Constables fees  
 serving and returning  
 warrant 25  
 serving two subpenas 25  
 attending jury trial 25  
 serving jury warrant 50  
 mileage serving warrant 10  
 mileage for serving  
 Subpenas 20  
 155

the above is a true copy from My doct  
 given under my hand this 11<sup>th</sup> of May 1836  
 John C. Bond, J. P.

Witnesses 1.50  
 Jury 1.50  
 Constables 1.55  
 Justice 1.17 <sup>1</sup>/<sub>2</sub>  
 \$5.72 <sup>1</sup>/<sub>2</sub>

Thomas Moulton

<sup>vs</sup>  
Abraham Johnson

Copy of Judgment

Filed May 18<sup>th</sup> 1834,  
D. McNeil J. Clerk

Abraham Johnson

O.S.B. 1000000  
#

STATE OF ILLINOIS,  
COUNTY OF WARREN,  
said County and State, GREETING :

} SCT.

The People of the State of Illinois, to the Sheriff of

WHEREAS

*Thomas Moulton* did

on the *twelfth* day of *May* in the year of  
our Lord one thousand eight hundred and thirty *six*, before *John*  
*G. Bond* Esq. a Justice of the Peace for the  
County of Warren, and State of Illinois, recovered a judgment against *Abra-*

*ham Johnson* of the County of *Warren*  
and State of *Illinois* for the sum of *seventy*  
dollars, and

*five* cents, debt, and *five*  
dollars, and *seventy two* cents costs, as by the transcript of the said judg-  
ment, from the docket of the said Justice of the Peace, filed in the clerk's office of  
the circuit court of the said county of Warren, appears; and whereas the said

*Abraham Johnson*  
has taken an appeal from the said judgment, to our said circuit court, and has given  
bond with approved security to the said *Thomas Moulton*

within the time, and in the manner prescribed by  
law; which said bond is filed as of record in the said clerk's office: we therefore  
command you, to summon the said *Thomas Moulton*

if he shall be found in your county, personally to be and appear before the cir-  
cuit court of said county, on the *first* day of the next term  
thereof, to be holden at the court house in *Monmouth* on the *second*  
Monday in the month of *October* next, to answer to the appeal of  
the said *Abraham Johnson*

and to such pro-  
ceedings, as may be had on the trial thereof before our said circuit court in that  
behalf. And have you then, and there this writ, and make return thereon in what  
manner you execute the same.

WITNESS, the Hon. RICHARD M. YOUNG, Judge of our  
said circuit court at Monmouth, this *eighteenth*  
day of *May* A. D. 183*6*, and of the inde-  
pendence of the United States the *sixteenth*

Attest,

*David M. Nally* Clerk.



Come to hand the 10<sup>th</sup> May 1836. at

J. G. Haley

3 O'clock P.M.

served on the within named by reading  
in his hearing on the 21 day of May 1836  
at 4 O'clock P.M.

To every old ni

Cost

Serving

24 Miles travel

returning summons

J. G. Haley Deft per 7 2. 12 1/2  
G. S. Haley diff etc.

4. 50

1 50

12

7 2. 12 1/2

Thomas Boulton

or  
Abraham Boulton

summons to appear

Filed out 10<sup>th</sup> 1836

L. de W. J. Clerk

