

No. 13722

Supreme Court of Illinois

Ketchum

vs.

Stolp

United States of America }
State of Illinois }

Plas before the Honorable Isaac G. Wilson
Judge of the thirteenth Judicial Circuit and
Presiding Judge of the Kane County Circuit Court
in the State of Illinois At a Term of the
Kane County Circuit Court began and held
at the Court House in the village of Geneva
on the sixth day of November in the year
of our Lord one thousand eight hundred
and fifty four

Present. Hon

Isaac G. Wilson

Judge

"

M. M. Boyce

State Attorney

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Walter B. Shalading

Sheriff

Attch

Custos Deabom Clerk

Be it remembered that whereas
afterwards writ on the 13th day of November A.D. 1854
the same being one of the days of the aforesaid term
of said Court the following among other proceedings were
had to wit

Jesse B. Stetson

James B. Stetson

Reflexion

This day comes the Plaintiff by Montgomery

and Plato his attorney and the Defendant by Ferguson
Saminorth also come and on motion of Plaintiff
it is ordered by the court that a jury come whereupon
came a jury of good and lawful men to wit
Schemah Simons J. W. Baker J. C. Ellithorpe
Am. Hanson Allum Hobbs Samuel Hill
J. H. Rainey Frederick Morgan A. B. Fish
Hiram Campbell John Kelly Henry Doty who
being solemnly elected tried and sworn also come and
after hearing a portion of the evidence it is agreed between
the parties that the jury may separate and meet the court
tomorrow morning at 8 1/2 to Army

And afterwards to wit on the 15th
day of November aforesaid the same being one
of the days of aforesaid term of said court the following
among other proceedings were had to wit

Jesse B. Ketchum
James B. Stoltz } Replevin This day again comes
the parties to this suit & the jury
heretofore empannelled herein also come & after hearing
the ballance of the evidence allegation of counsel and
instructions of the court retire under charge of a sworn
officer of this court to consider of their verdict & subsequently
return into court for a verdict say that the jury find
the Defendant not guilty And thereupon comes the
Plaintiff by Montgomery & Plato his attorney & enters his

Motion for a new trial herein

And afterwards to wit on the 16th day
of November A.D. 1854 the same being one of the
Days of the aforesaid Term of said Court

Depe B. Ketchum

James B. Stith

vs
} Replevin

This day comes on
to be heard the Plaintiffs motion
for a new trial heretofore entered herein after argu-
-ment of counsel the court being fully advised overrules
said motion. It is therefore considered by the court
that the Defendant recover from the Plaintiff his costs
expended herein & had execution thereon. In which
ruling of the court the Plaintiff by his counsel excepted
sprayed an appeal to the supreme court which
is allowed on condition that Plaintiff enter into bond in
30 days in the penal sum of Two Hundred Dollars
conditioned according as the Law directs with Asa
St. Dexter as security. Time for filing bill of excep-
-tions extended to February by agreement Plaintiff
do retain possession of the property

And afterwards to wit on the 5th
day of December A.D. 1854 the following Bond
was filed in said court which is in the words
& figures following to wit

Know all men by these presents that in
Jesse B. Ketchum as principal & Asa Dexter as security
are held jointly bound with James B. Stutz of
DuPage County Illinois in the legal sum of two hundred
Dollars lawful money of the United States to be paid to the said
James B. Stutz his Executors Administrators or assigns for
which payments shall and truly to be made and not otherwise
on his Executors or Administrators each of them jointly
by these presents sealed with our seals Dated the fifth day
of December A.D. 1857,

The Condition of this Bond is such
that whereas the above named James B. Stutz
did at the November term A.D. 1857, of the said County
Circuit Court in a certain action of Replevin at said term
& Term wherein the said Jesse B. Ketchum was Plaintiff
and the said James B. Stutz defendant recover a judgment
for costs — Against the said Jesse B. Ketchum
by the judgment of said Court from which judgment
the said Ketchum then & there prayed an appeal
(which was allowed) to the Supreme Court of said
State of Illinois Now if the said Jesse B. Ketchum
shall duly prosecute said appeal and in case said
judgment shall be affirmed shall pay said judgment costs &
interest & all such damages as shall be allowed against him
upon the trial of said appeal then this obligation shall be void
otherwise to remain in full force and effect

Jesse B. Ketchum (Seal)
Asa Dexter (Seal)

State of Illinois
Kane County

I Luther Dearborn clerk of circuit
court in & for said County & State aforesaid
do hereby certify that the above foregoing is a full
perfect & complete copy of all orders in the above ent-
itled case of the November term AD 1852 of
said court as appears from the records of said
court & also of appeal Bond filed in said
cause

Witness my hand & seal of said
Court at Keokuk in said county this
28th day of June AD 1855

Luther Dearborn
Clerk

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Stolp } Sup
ads } Court
Ketchum }

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Coty taxed

Filed June 30th 1855

L Deband Clerk

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