

No. 13205

Supreme Court of Illinois

Hoyt

vs.

Bateham

71641  7

STATE OF ILLINOIS,
SUPREME COURT,
Third Grand Division.

No. 263.

Hayt

132015

1861

UNITED STATES OF AMERICA,

STATE OF ILLINOIS, COUNTY OF COOK, SS.

Pleas, before the Honorable, the Judges of the Superior Court of Chicago, within and for the County of Cook and State of Illinois, at a regular Term of said Superior Court of Chicago, begun and holden at the Court House, in the City of Chicago, in said County and State, on the first Monday, being the 7 Seventh day of May in the year of our Lord One Thousand Eight Hundred and Sixty fourth and of the Independence of the United States of America the Eighty fourth

Present, The Honorable John M Wilson Chief Justice of the }
Superior Court of Chicago. }

Van H Higgins }
Grant Goodrich } Judges.

Carlos Haven Prosecuting Attorney.

John Gray Sheriff of Cook County.

Attest, Walter Kimball Clerk.

Be it Remembered that heretofore to wit on the seventh day of May Eighteen hundred & sixty said day being one of the days of the May Term in the year aforesaid of said Superior Court of Chicago the following among other proceedings were had in said Court and entered of Record to wit

William B. Bateham }
vs } *Applicant*
William H. Hoyt }

This day comes said plaintiff by E J Runyan his attorney and said defendant by H B Shurt

His attorney also comes and issue being joined herein it is ordered that a Jury come ~~wherefrom~~ comes the jurors of a Jury of good and lawful men to wit A. B. Raffley, R. Byern, H. S. Attein, O. T. Labonty James M. Gawn, John Walsh, Alfred, Levill, James Price Erastus Brasie, L. M. Ropitter, Robert Russell, and John Lauer, who being duly elected tried and sworn to try the issue joined as aforesaid after hearing evidence arguments of Counsel and instructions of the Court retire to consider of their verdict and afterwards return into Court submit their verdict and say We the Jury find issue for said plaintiff and assess his damages herein to the sum of One hundred and thirty six dollars and ninety four cents Therefore it is considered that said plaintiff do have and recover of said defendant his damages of One hundred and thirty six dollars and ninety four cents in full as aforesaid by the Jury here found and assessed and also his costs and Charges in this behalf expended and have execution therefor

And afterwards to wit on the twenty second day of May, in the year aforesaid as yet of said May Term the following further proceedings were had in said Cause and entered of Record in said Court to wit

William B Bateham }
vs } *Exempt*
William H. Hoyt

This day comes said defendant by Harvey B. Hurd
his attorney and prays an appeal herein to
the Supreme Court of this State which is
allowed to him and filing his appeal bond in the
penalty of three hundred with J. Fletcher, Boston
as security to be filed during this term of
the Court

And afterward on the same day to wit the
twenty second day of May in the year aforesaid
the defendant filed his appeal bond in
said Court in words and figures as following
to wit

Know all Men by these Presents that we
William H. Hoyt principal and J. Fletcher
Boston surety of the County of Cook and
State of Illinois are held and firmly bound
unto William B. Bateham also of the same
County and State in the penal sum of three
Hundred Dollars lawful 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 hand and seal this twenty first day
of May AD 1860

The condition of the above obligation is such that
whereas the said William B. Batchauer did on the
seventh day of May AD 1860 before the Superior
Court of Chicago bring one of the days of the
May Term AD 1860 of said Court recover against
the above bounden William H. Hoyt a judgement for
the sum of One Hundred and thirty six dollars and
ninety four cents and costs of suit from which
judgement the said Superior Court of Chicago the
said William H. Hoyt has taken an appeal to the
Supreme Court of the State of Illinois Now if
the said William H. Hoyt shall prosecute his
appeal with effect and will pay the said judgement
costs interest and whatever damages may be awarded
against him by the said Supreme Court in case
the said judgement shall be affirmed then the
above obligation to be void otherwise to remain
in full force and virtue

Approved by me

William H. Hoyt *W. H. Hoyt*

22nd day of May AD 1860

J. A. Bouton

W. H. Hoyt

State of Illinois }
County of Cook } ss

I Walter Kimball Clerk of the
Superior Court of Chicago within and for the
County of Cook in the State of Illinois do
herby certify that the above and foregoing contains
true copies of the order of judgement. The order
allowing appeal and the appeal bond filed
in a certain suit wherein William B. Batchman
is Plaintiff and William N. Hoyt defendant

In testimony whereof I have
herunto affixed the seal of
said Court of Chicago in said
County the eleventh day of April
AD 1861 Walter Kimball Clerk



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William H. Hoyt
vs

William B. Bolithron

Filed April 18, 1861
L. Leland
Clerk

Reynolds
atty