

13718

No. _____

Supreme Court of Illinois

Paxton

vs.

Weaver

State of Illinois
Warrick County

Pleas before the Honorable
John S. Thompson Judge of the tenth
Judicial Circuit of the State of Illinois
At a circuit Court begun and held at
the Court house in Mommouth in the
County of Warrick and State of Illinois
on the fourth Monday in the month of
October. In the year of our Lord one
thousand eight hundred and fifty nine
It being the 24th day of said month and year

Present Hon John S. Thompson Judge
James H. Stewart States Attorney
Seth Smith Sheriff
W. S. Laferty Clerk

176 James D. Paxton }
vs } Assumpsit
Joseph Weaver }

And afterwards to Wit on the 19th day
of November A.D. 1859. being at the same
term of said Court. the following order
was returned upon the records of said
Court which reads as follows to Wit;

176 James D Paxton }
vs } Assumpsit
Joseph Weaver }

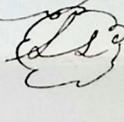
This day again came the Plaintiff by his attorney, and moves the Court for leave to amend his replication, to defendants I plead herein. And after hearing the same it is ordered by the Court that the motion be allowed and that the demurrer to amended replication be overruled. Thereupon came the parties by their attorneys and issue being joined for trial they put themselves upon the Court, and waive a jury. And after hearing the evidence and argument of Counsel. It is ordered by the Court that the Plaintiff have and recover of the defendant the amount of his note and interest as damages, And as the damages are unknown to the Court it was ordered that the Clerk assess the same, And the Clerk having assessed and reported the same at the sum of Four hundred and Sixty three dollars, and Sixty cents, which being approved by the Court, Therefore it is considered by the Court, that the Plaintiff have and recover of and from the said defendant, the sum of Four hundred and Sixty three dollars and Sixty cents

the Amount so assessed by the Clerk as aforesaid together with his costs by him in this suit expended and may have Execution therefor. Thereupon came the defendant and prayed an appeal to the Supreme Court, which is allowed by the Court upon the said defendant entering into bond in the sum of Eight hundred dollars, with Security to be approved by the Clerk by agreement. Bond to be filed in thirty days.

(Copy of Bond.)

Know all men by these presents that we Joseph Weaver and George D Sloan are held and firmly bound unto James D Paxton in the penal sum of Eight hundred dollars (\$800) 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, this 1st day of December Anno Domini One thousand eight hundred and fifty nine. The Condition of the above obligation is such that whereas James D Paxton did on the 19th day of November 1859 in the Circuit Court within and for the County of Warren and State of Illinois recover a judgment against the above bounden Joseph Weaver for the sum of Four hundred and sixty three dollars and sixty cents \$463.60

And costs of suit, from which judgment of said
Circuit Court, the said Joseph Weaver has paid
for and obtained an appeal to the Supreme Court
of said State. Now if the said Joseph Weaver
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 null and void otherwise to remain in
full force and virtue,

Joseph Weaver 
George P Sloan 

Approved by me this

16th day of December

AD 1859 Wm Lafayette Clerk

Filed Dec 16th 1859

Wm Lafayette Clerk

State of Illinois
Hansen County

I Wm Laferty Clerk of the
Circuit Court in and for said County and
State do certify that the foregoing is a true
Copy of the order of Court and Bond in
the foregoing Case as the same appears from
the files and records of my office

In testimony whereof I have hereunto
set my hand and affixed the Seal of
said Circuit Court at my office in
Monmouth this 20th day of April AD 1860

Wm Laferty Clerk

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James D Paxton

vs

Joseph Weaver

cert. of Appeal

Filed April 24, 1860

L. Leland
clerk.

46.2.60

\$ 23.18.00 Dps.

13718

fee \$1.00
Paid by Plaintiff