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Pleas held at Shawanetown in the County of
Gallatin before the Honorable Thomas C. Brown
Judge of the Gallatin Circuit Court, at the May Term
of said Court in the year of our Lord one thousand
Eight Hundred and Twenty One

Zadock. Sydetott Plaintiff
against
James Bell & John D. Bell Defendants
Trespass
assault &
Battery

Be it remembered that on the fourth day of October in
in the year of our Lord one thousand eight hundred and twenty
Zadock Sydetott
came by Lockwood & Mosley his attorneys into the Clerks Office
of the Gallatin Circuit Court and filed his certain Declaration
or bill of Complaint in writing, in the following words and
figures To wit.

State of Illinois Gallatin County

In the Circuit Court of said County October Term in the year of our
Lord one thousand eight hundred & twenty

Zadock Sydetott complains of James Bell
& John D. Bell of a plea of trespass vi et armis for that the said
defendants on the eighteenth day of September, in the year of our
Lord one thousand eight hundred and twenty, with force and
arms at the County of Gallatin aforesaid and within the
jurisdiction of this Court, in and upon the said Zadock did make
an assault and then the said Zadock there and then did bear
bruse wounds and ill treat and other wrongs to the said Zadock
then and there and against the peace and dignity of the People
of the State of Illinois and to the damage of the said Zadock five
thousand Dollars therefore he brings suit by
Lockwood & Mosley
his Attorneys

on which the following writ of summons issued To wit
 State of Illinois Gallatin County ss The People of the State of Illinois to
 the Sheriff of Gallatin County Greeting. We command you to summon
 James Bell and John D Bell to be and appear before the Gallatin Circuit
 Court, on the first day of our next term, to be holden at Shawanese town
 on the fourth Monday, in the month of October, instant, to answer & ave
 Aydelott of a plea of Trespass per et armis Damage Five Hundred Dollars
 and have then there this writ. Witness, Joseph M Street, Clerk of our
 said Court at Shawanese town, this fourth day of October A.D. one thousand
 Eight hundred & twenty one of the State of Illinois the third year

Joseph M Street Clk

Enacted "This is an action of Trespass with force and arms and no bail
 is required." Sockwood & Masley P. 2.

to which the Sheriff made the following return. "Not found in
 my bailwick" Richard V Jones, S. G. C.

and, afterward To wit at a circuit Court began and held at
 Shawanese town in and for the County of Gallatin aforesaid on Monday
 the thirteenth day of October, in the year one thousand eight hundred
 & twenty, came the plaintiff into Court by his attorney and
 on his motion an alias summons is awarded him herein
 against the defendant, directed &c Commanding &c
 returnable here &c and all further proceedings are continued
 until the next Court

And on the twentieth day of December one thousand eight hundred
 & twenty the following alias summons was issued from the Clerk's
 Office of the Gallatin Circuit Court To wit

State of Illinois Gallatin County ss The People of the State of Illinois
 to the Sheriff of Gallatin County Greeting. We command you to
 summon James Bell & John D Bell as we have heretofore comman
 ded you to be and appear before the Gallatin Circuit

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Court, on the first day of our next Term, to be holden at
the Court House in Shawanetown, on the fourth Monday
in the month of May next, to answer Ladue Wydelott of
a plea of trespass with force and arms Damage five hundred
Dollars, and have then there this writ. Witness Joseph M

Street Clerk of our said Court at Shawanetown on
12th day of December A.D. one thousand eight hundred
& Twenty of the State of Illinois the 3. year

Is M Street Clk

Endorsed, "This is an action of trespass with force and arms
and no bail is required"

Lockwood & Mosley P. D.

Sheriff return To wit, "Executed March the 29th 1821

Riding 30 Miles"

for E. D. Jones S. C. C.

Shaw. M. P.

and afterwards to wit, at the May Term of the said Circuit
Court, Continued and held, at Shawanetown, in and for the said
County on Thursday the tenth day of May in the year of our
Lord one thousand eight hundred and Twenty One, Came the
Plaintiff by Lockwood & Mosley his attorneys and the Defendants
though now solemnly called came not but made Default, on
motion of the Plaintiff attorney, it is therefore considered by the
Court that the Plaintiff recover against the defendants such
damages, as he hath sustained in the premises but because
it is unknown to the Court, what those damages are, ordered that
the Sheriff empannell a jury to enquire thereof immediately and there
upon ^{came} the Jurors of a Jury to wit James Bain, Moses M. Paulings,
William McCoy, Ezra Morrison, Matthew Wood, John Waggoner,
Robert Salmore, Joseph Logsdon, Robin Pepples, James Pettigrove, Lomax
Dawning, & William Ellis who being elected tried and sworn, well

and truly to enquire of damages upon their oath do say.
Now of the jury find for the plaintiff Two hundred and fifty Dollars
damages, and on motion of the plaintiff's attorney it is therefore
considered by the Court that the Plaintiff recover against the def-
endants two hundred & fifty dollars the damages by the jury in
their verdict aforesaid assessed, and also his costs by him about his
suit, in this behalf expended and the said defendant in mercy &c.

State of Illinois Gallatin County ss:

I Joseph M. Street Clerk of the Gallatin
County Circuit Court do hereby certify that the foregoing is a true copy &
an exemplification of the record and proceedings as fully and amply as the
same now remains in my said Office, in the foregoing case of *Goodrich*
vs. *Bell* " " " " Bell for a discharge of said

Battery.

In Testimony, whereof I have hereunto set my
my hand and affixed the seal of the said Circuit
Court this thirtieth day of February in the year
of our Lord One thousand eight hundred and
Twenty Two. ————— J. M. Street clk.

Transcript of the Record of 21. 9. 75.

J. M. Street clk

James Brewster & John Bell State of New York
a.d.g.
Ex parte Agdelott

Justice of the Supreme Court of the
State of New York, having inspected the
within record & do hereby order the
written Error to be made a supersedeas
provided the said James & John Bell
enter into Bond with security as the
Court directs.

5a

Testimony of the Court Clerk
Subscribed and sworn to at New York
this 20th day of June 1891.

5b

5c

168
Gardock & Sythell
Recd

State of
Feb. 31. 1822

Wm. H. Moore

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by delote
at
J. & J.D. Nell } - Tidd 514

a
A writ of inquiry is a writ in
quest of office to inform the conscience of the Court;
who if they please may themselves assess
the Damages - See 1 H. Black. 542 & the several
cases there cited. -

p.
In confirmation of this Doctrine, it may be
observed, that the courts set them aside
Tidd 525. The writ of a writ of inquiry
is aided by the Statute of Jeofails - 2 H. 8. 78
See also Baylis Index Title Jeofails.

Supreme Court

Lames and John Bell

as
Gaddock by default

} assignment of errors

And now at this Court at
the December ^{Term} 1892 of the said Court
comes the said Lames and John Bell
by their Attorney Hardin and brings
now here into Court the transcript
of record of judgment rendered at
them in the Gallatin Circuit

In favour of Gaddock by default and
says that in the record and proceedings
of ^{as also in giving the judgment}
of there is manifest error in his
Court. Writ of enquiry was not
awarded by the Circuit Court of
and ^{and} by the Clerk of the Circuit
Court of as the law directs

2^d It was also error for the Sheriff
to summon and impanel jury to
enquire of damages upon judgment by
default without first having writ
of enquiry to make him so to do

3^d It was also error in the Court
of to enter ^{up} judgment on the
verdict of jury summoned and impanelled
as of

And the said James and John Bell
pray, ~~Judgment~~ for the errors of D and
also for other errors in the record and
proceeding of D the said Judgment may
be reversed and altogether taken
for nothing. ~~Let~~ Hardin for Depts

L Bell vs
ad 3
Ag delete
Assignment of
errors

Supreme Court
Zadack ~~tydelott~~

James Bell &
Geo. D. Bell }

and hereupon the said Zadack
by S. D. Lockwood his attorney
comes here into Court, & says that
there is no Error either in the Record
& proceedings aforesaid, or in giving the
judgment aforesaid & he prays that the
said Supreme Court before the aforesaid
said Justice thereof now here, may
be bound to examine as well the
record & proceedings aforesaid, as the
Matters aforesaid above assigned for error
& that the judgment aforesaid in form
aforesaid given, may be in all things
affirmed &c.

Lockwood & Co. for Deft
in Error

Supreme Court
Zadock Appleton

at

James Bell
& John D. Bell

Filed in P. 10

Lockwood Att

Filed Dec. 12. 1829

Wm Duncan

James H. L.

Know all men by these presents
that we James Beall John D
Beall and Charles Micks —

are held and firmly bound in
the penal sum of five
hundred dollars, which payment
we and truly to be made
we bind our selves our heirs &
to the said Jacob Hydelet
his heirs & assigns lawfully
and firmly by these presents
sealed with our seal and
dated this 1st day of February
1822

Whereas the above bound
James Beall and John D
Beall ~~has~~ ^{has} taken and special
by writ of error ~~from~~ ^{on the judgment or verdict} this
a judgment obtained by the
said Jacob Hydelet against the
said James Beall and John D
Beall in the Galatin Circuit
State of Illinois to the intent of
appeal of the State from the
condemnation of this obligation is

that of the said James Beall
and John D Beall well and
truly executed and appeal
to effect then the above obligation
to be void or else to remain
in full force in law

James Beall

John D Beall

Charles Mick

James Beal
John D Beal
Charles Mick } Bond
To
Zadock & Wyttet

filed Feb. 21st
1822