

13794

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

Supreme Court of Illinois

Baker

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vs.

Hewitt et al

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71641  7

Pleas before the Circuit Court of Marshall County  
in the State of Illinois at a Term thereof begun and  
held at the Court House in the City of Lacon in said  
County on Monday the second day of May in the year  
of Our Lord One thousand eight hundred and fifty  
nine. Present Hon Mark Bangs judge of the 23<sup>d</sup>  
judicial Circuit of the State of Illinois presiding,  
Henry Miller states attorney for said judicial Circuit,  
Thomas Ellis, Sheriff of said Marshall County and  
James Wescott Clerk of said Circuit Court.

Friday, May 13<sup>th</sup> A.D. 1859

Chancey Baker  
vs  
Benjamin Hewitt &  
Isaiah Jones } Debt.

This day again comes the Plaintiff by Richmond & Burns his attorneys and the defendant Benjamin Hewitt by Miller his attorney, and the parties waived a jury and agreed that all matters both of law and fact arising in this cause be tried by the court, and the court having heard the evidence and being fully advised in the premises doth find that the Defendant, Benjamin Hewitt does owe to the Plaintiff the sum of One hundred and twenty five dollars debt, and that the Plaintiff hath sustained damages by reason of the detention of said debt to the sum of three dollars and seventy five cents.

Whereupon comes the said defendant Benjamin Hewitt by his counsel and enters a motion for a new trial herein, and the court having considered said motion and being now sufficiently advised in the premises doth order that the same be overruled. It is therefore considered by the court that the said Chaney Baker have and recover of the said Benjamin Hewitt the said sum of One hundred and twenty five dollars debt and the sum of three dollars and seventy five cents damages as found by the court as aforesaid, also his costs and charges in and about his suit in this behalf expended and that he have execution thereof. And on motion of the plaintiff it is ordered by the Court that a *Scire Facias* issue to Defendant Seariah Jones to show cause if any he can why he should not be made a party defendant to said judgment.

Tuesday, May. 17<sup>th</sup> A. D. 1859

Chaney Baker  
vs.  
Benjamin Hewitt &  
Seariah Jones

Debt.

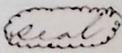
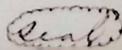
This day again comes the defend. and Benjamin Hewitt and prays an appeal to the Supreme Court of this State which appeal is allowed upon the defendant Benjamin Hewitt filing a bond in the sum of five hundred dollars conditioned acc.

ording to law with Silas Ramsey as security within  
thirty days.

" Know all men by these presents that we Benjamin  
Hewitt as principal and Silas Ramsey as surety are  
held and firmly bound unto Chancey Baker in the  
penal sum of Five Hundred dollars 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 15<sup>th</sup> day of June A. D. 1859.

The condition of the above obligation is such that Where,  
as the said Chancey Baker, at the May term A. D. 1859  
of the Marshall County Circuit Court, recovered a  
judgment in said Court against the said Benjamin  
Hewitt, for the sum of One hundred & twenty five,  
dollars debt and three <sup>75</sup>/<sub>100</sub> dollars damages, and costs  
of suit in a certain plea of debt. brought by said Baker  
against said Hewitt who was impleaded with one  
Isaiah Jones, from which judgment the said Hewitt,  
has prayed and obtained an appeal to the Supreme  
Court of the State of Illinois. Now if said Hewitt shall  
duly prosecute his said appeal with effect and without  
delay, and shall pay the said judgment, costs, interest and  
damages, in case the said judgment shall be affirmed by  
the said Supreme Court, then this obligation to be void else  
to remain in full force and effect.

Endorsed Filed June 15, 1859  
James Wescott Clerk

B. Hewitt   
Silas Ramsey 

Chancery Baker  
vs.  
Benjamin Hewitt &  
Isaac Jones

13794

Filed Apr. 19. 1860  
L. Deland  
Clk.

125.00  
7.28  
128.75  
\$64375

\$5.00. Clk.

Chesapeake  
1865

State of Virginia  
Marshall County }  
vs. James Hewitt Clerk of the Circuit  
Court in and for said County and  
State do certify that the foregoing is a correct copy of the  
judgment, order granting appeal and appeal bond in  
the suit of Chancery Baker against Benjamin Hewitt  
and Isaac Jones in the same volume of record and  
on file in my office

In Witness Whereof I have set my  
hand and the seal of said Court  
at my office in Sherrin in said County  
this 19th day of April A.D. 1860  
James Hewitt  
Clerk