

No. 13441

Supreme Court of Illinois

Smith

vs.

Jackson.

71641  7

State of Illinois
Warren County

Pleas before the Honorable
John S. Thompson Judge of the tenth Judicial
Circuit of the State of Illinois. At a circuit
Court began and held at the Court House in
Mcmonmouth in the County of Warren and
State of Illinois On the third Monday in the
month of March In the year of our Lord one
thousand eight hundred and fifty nine
It being the twenty first day of said month

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

"And afterwards to wit on 7th day of April A.D.
1859 being at the same term of said Court the
following order was read upon the records
of said Court which is as follows to wit;

William Smith

30

VS

Washington Jackson

3 Appeal

This day came the

parties and their attorneys and issue being
joined herein for trial, put themselves upon
the County. Thereupon came a jury to
wit: William Wether, J. S. Dayton, French
Brownlee, William Cowan, J. S. Brownlee
P. J. Murphy, B. Colcord, J. S. Herbert,
Thomas Graham, J. W. Johnson, J. H. Arthur &
Alexander Tailor, who having been duly elected
tried and sworn well and truly to try
the issue joined herein, after hearing the
evidence and argument of Counsel retired
to consider of their verdict,

"And afterwards to wit on the 8th day of April 1859
the following order was entered upon the record
of said Court as follows to wit;

30 William Smith
vs } Appeal
Washington O Jackson }

This day again came
a jury empaneled herein on Yesterday
and upon their Oaths do say, Be the jury find
the issue for the defendant and assess his
damages at the sum of Five dollars.

Thereupon came the Plaintiff and moves
the Court for a new trial herein and in
arrest of judgment.

And afterwards on the same day the following
order was entered of record To Wit,

30 William Smith
vs } Appeal
Washington A Jackson

This day again came
on this Cause for hearing on the Plaintiff's
motion for new trial, and in arrest of judgment
and after hearing the same it is ordered by the
Court that the motions be overruled Therefore it
is considered by the Court that the defendant
recover of the Plaintiff the sum of Five dollars
the amount so found by the jury aforesaid, together
with his costs by him in this suit expended
as well in the Court below as in this Court
and may have execution therefor

And afterwards To Wit on the 15th day of April
AD 1859 the following order appears of record
in the foregoing case

William Smith
 vs } Appeal
 Washington A Jackson }

This day came the Plaintiff by his attorney and moves the Court for an appeal to the Supreme Court, which is allowed by the Court, upon the Plaintiff giving into Bond in the penal sum of One thousand dollars with Josiah Smith as his security to be filed in 10 days from the date hereof. Bill of Exceptions to be filed during the present term of this Court.

Copy of Bond

Know all men by these presents that we William Smith and Josiah Smith are held and firmly bound unto Washington A Jackson in the penal sum of One thousand 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 8th day of April Anno domini One thousand eight hundred and fifty nine.
 The condition of the above obligation is

such that Whereas Washington A Jackson
did on the eighth day of April AD 1859 in
the Circuit Court within and for the County
of Warren and State of Illinois recover a
judgment against the above bonded
William Smith for the sum of Five dollars
and Costs of Suit, from which judgment
of said Circuit Court the said William
Smith has prayed for and obtained an appeal
to the Supreme Court of said State. Now if
the said William Smith 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

Wm Smith

Joseph Smith

Filed April 15th 1859

Wm Laferty Clerk

