

No. 13778

Supreme Court of Illinois

Rayburn

vs.

Hodges

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 Bloomington in the County of Warren 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 State Attorney
Seth Smith Sheriff
W. S. Saffery Clerk

129 John S. Rayburn vs Appeal
William Hodges

"And afterwards to wit on the 16th day of November A.D. 1859 the following order was recd upon the records of said Court which is in the words and figures following to wit;

John S Rayburn
vs
William Hodges } Appeal

This day came the parties and their attorneys, and issue being joined for trial they put themselves upon the County. Thereupon came a jury to wit, Isaac L Pratt Stephen Peice, H A Corwin, J D Perpening William Church, Joseph Murphy, Anthony Cannon Theodor Cornell, A Livermore, W S Davidson George D Brandall & Franklin Hascall who being elected tried and sworn to well and truly try the issue joined herein, and after hearing the evidence and argument of Counsel upon their Oaths do say, "We the jury find for the Plaintiff and assess his damage at the sum of Eighty eight dollars. Thereupon came the defendant by his attorney, and moves the Court for an appointment of Costs. Whereupon it is ordered by the Court that the motion be allowed, and that the Plaintiff pay five dollars of the costs, and the defendant to pay the residue. Therefore it is considered by the Court that the Plaintiff recover of the defendant the sum of Eighty eight dollars together with his costs, by him in this suit

expended, except the Amount heretofore expended
as well in the Court below as in this Court, and
may have Execution therefor,

And afterward to wit on the 19th day of November
1859, the following order was entered upon the
records of said Court which is as follows,

129 John A Rayburn }
vs } Appeal
William Hodges }

This day came the defendant
by his attorney and prays an appeal to the
Supreme Court, which is allowed by the Court
upon the said defendant entering into bond in
the sum of Two hundred dollars with Security
to be approved by the Clerk by agreement, Bond
and Bill of Exceptions to be filed in thirty days
{ Copy of Bond }

Know all men by these presents that we William
Hodges, Henry Wilson & Peter Watson are held
and firmly bound unto John A Rayburn
in the penal sum of Two hundred dollars for
the payment of which well and truly to be
made we bind ourselves, our heirs, Executors
and Administrators, jointly, severally and finally

by these presents, Witness our hands and seals
this 7th day of December Anno Domini One
thousand eight hundred and fifty nine.

The Condition of the above obligation is such
that Whereas John A. Rayburn did on the 16th
day of November 1859 in the Circuit Court within
and for the County of Warren and State of Illinois
render a judgment against the above bounden
William Hodges for the sum of Eighty eight
dollars and costs of suit, from which judg-
ment of said Circuit Court, the said William
Hodges has prayed for and obtained an
appeal to the Supreme Court of said State
Now if the said William Hodges 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 judg-
ment 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

William Hodges

Henry Wilson

Peter Watson

Approved by me this 8th day
of December A.D. 1859

W. Laferty

Friend Dec 8th 1859

W. Laferty Clerk

State of Illinois
Harris 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 orders of Court and Bond
in the foregoing case as the same appears
from the records and files 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 A.D. 1860

Wm. Laferty Clerk

372

John S Rayburn

vs

Wm Hodges

13778

Filed Mar 2 1860

Leland
Clerk

\$58,00

05

\$4,000 00

paid by Plaintiff
for \$1.00