

No. 11950

Supreme Court of Illinois

Hughart

vs.

RINK
~~Bank~~

71641  7

United States of America

State of Illinois }
McHenry County } Thus before the Honl James Wilson
Judge of the thirteenth judicial
Circuit of the State of Illinois and presiding judge
of the McHenry Circuit Court at a Circuit Court begun
and held at the Court house ^{in Morris} in said County and
State aforesaid on the fifteenth day of September in
the year of our Lord one thousand eight hundred
and fifty one and of the Independence of the said
United States the twenty fifth

Present the Honl James G. Wilson
Judge
Attest J. H. Johnson
Clerk
P. W. Platt
State attorney
John B. Burt
Shuff

Be it remembered that heretofore to wit on the thirteenth day
of September in the year of our Lord one thousand
eight hundred and fifty one it being one of the days
of the last September term of the Circuit Court of said
County then in session at the Court house in Morris
aforesaid the following proceedings were had to wit

Henry W. Burt
vs
Andrew J. Huggart } Appeal
And now come
the plaintiff by William
and John his attorneys and the defendant by
McClure and Murphy his attorneys, also come and
thereupon it is ordered that a Jury come and
thereupon come a jury of good and lawful
men to wit

Elsha Dayton P. B. Jones Franklin Kellogg
 Symon Johnson S. S. Morse Samuel Trivett
 George Stickney Wm Barnes O. A. Hatchcock
 Wm C. Rider Isaac Anthony John Higgins
 who being duly sworn and sworn well
 and truly to say the issue joined and having
 heard the evidence and arguments of Counsel
 and instructions of the Court they retired to
 consider upon their verdict and thereafter
 they returned into Court and delivered the follow-
 ing verdict, "By the Jury find for the plaintiff
 and assess his damages at the sum of twenty
 five dollars. And therefore the defendant moves
 the Court for a new trial."

And thereafter to wit, on the 2nd day of October in
 the year last aforesaid it being one of the days
 of the late September term of said Court the following
 proceedings were had to wit:

Henry H. Bank }
 vs } Appral
 Andrew J. Buzzheart }
 And now come the
 parties by their respective
 Attornies and the Court being fully advised on the
 motion formerly put in herein for a new trial overule
 the same; to the opinion of the Court in overruling
 said motion the defendant by his Counsel excepts. It
 is, therefore, expressly considered and adjudged by
 the Court that the said plaintiff have and recover
 of the defendant the sum of twenty five dollars
 his damages assessed as aforesaid, as also his costs
 and charges as well in the County below as in this
 Court expended and that he have execution therefor.

And thereafter to wit on the fifth day of October
in the year last aforesaid it being one of the days
of the late September term of the said Circuit Court
the following proceedings were had to wit

Henry W. Bunt

Andrew J. Huggins

Appeal

And now came
the defendant by McAllen
his attorney and moves the Court for an appeal
bonds which is granted upon condition that
he enter into bond in the sum of two hundred
dollars with William A. Murphy as security within
twenty days from this date.

And therefore to wit on the
20th day of October in the year last aforesaid
the said defendant filed in the office of the Clerk
of the Circuit Court of said County an appeal bond
in the moneys and figures following that is to say.

Now all men by these presents that we Andrew J.
Huggins principal William A. Murphy as
sureties of the County of McKinney and State
of Texas are held and firmly bound unto Henry
W. Bunt of the same County and State in the
penal sum of two hundred dollars current money
which payment well and truly to be made we and each
of us bind ourselves our heirs executors administrators and
assigns jointly and severally by these presents
Witness our hands and seals at Fort Worth this 20th
day of October A.D. 1837.

The Condition of the above
obligation is such that whereas the above named
Henry W. Bunt did at the September term of the
Circuit Court of McKinney A.D. 1837 on the 4th
day of October 1837 it being one of the days of

Said term of said Court recover a judgment against
the above named Andrew J. Huggins for the sum of
Twenty five dollars and costs of suit from which
judgment of the Circuit Court the said Andrew J. Huggins
has taken an appeal to the Supreme Court.
Now if the said Andrew J. Huggins shall prosecute
his appeal to effect and shall pay and satisfy
the judgment with interest and damages in case
the said judgment shall be affirmed in the said
Supreme Court then the above obligation to be paid
therein to remain in full force and virtue.
Signed and entered into Andrew J. Huggins *[initials]*
before me this 20th day of *Nov* H. Murphy *[initials]*
October A.D. 1851.

Soel H. Johnson Clerk
Condensed Chancery

Filed Oct. 20th 1851

H. H. Johnson etc

State of Illinois
McHenry County *[initials]* The undersigned Clerk of the
Circuit Court in and for the
State aforesaid do certify that the foregoing is a true
and perfect copy of the record and appeal
made in the above entitled Cause in this office
Witness Joel H. Johnson Clerk of
our said Court and the seal thereof
at Woodstock this 27th day of
May A.D. 1852

Joel H. Johnson
Clerk

Filed July 3rd 1852.
H. H. Johnson etc.

1852

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Andrew J. Huggins
H. H. Johnson
\$200

collecting
Andrew Huggins
Harry W. Brewster
Transcript.

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