


No. 14198

Supreme Court of Illinois

Newby

vs.

Stewart.

71641  7

State of Illinois }
 County of Jefferson }

I John S. Rogan, Clerk of the Circuit Court within and for the County & State aforesaid, do hereby Certify that, at a Circuit Court begun and held, on the 9th Monday in the Month of May A. D. 1836, in the County of Jefferson and State of Illinois, Carroll Newby, obtained, a judgment in a claim of debt, against David Stewart for One hundred and forty three and fifty five cents debt and \$ damages, together with costs & suit. A true and perfect copy of which said judgment, is in words & figures following to-wit:

My Term Jefferson Court, A. D. 1836
 Tuesday May 13th 1836

Carroll Newby }
 vs } Debt
 David Stewart }

This day comes the Plaintiff by Jansen & Co. say his Attornies, and the Defendant by Nelson & Johnson his Attornies, And the Defendant withdraws his demurrer to the Plaintiffs declaration, and issue being joined, this cause is submitted to the Court; And the Court having heard the proofs, and the Defendant not answering further, Judgment by "Jury dict" for Plaintiff, for \$143⁵⁰ debt, and the damages, but it being uncertain what said damages are, it is further considered by the Court that Clerk assess and report said damages; - Thereupon the Clerk assesses and report said damages to be \$335

It is therefore considered by the Court that the Plaintiff recover of and from the said Defendant the sum of \$143⁵⁰ debt and \$335 damages & and also the costs & charges expended in and about said suit, & Expenses herein returned to;

And thereupon the said Defendant may appeal to the Supreme Court, which

143.50
 335
 147.00
 5
 17.35.00

Appeal was allowed, in words & figures following
(to wit)

Secord Monday May 19 - Dated and
Carroll Newby }
vs } Debt
David Stewart }

This day comes the Defendant herein
by Nelson + Johnson his Attornies, and prays an Appeal
in this Cause, to the Supreme Court; which is allowed
by the Defendant giving bond, with Isaac Garrison
as security in the sum of \$300, within thirty days
from date"

And therefore, the said David Stewart
did, on the day of June A.D. 1856, enter into bond
with the said Isaac Garrison as security in pursuance
of the order of Court aforesaid; which bond is
in words and figures, following (to wit)

"Know all men by these presents, that We David
Stewart and Isaac Garrison of the County of Jefferson
and State of Illinois are held and firmly bound unto
Carroll Newby, also of the same County and State
in the penal sum of Three hundred dollars, lawful money
of the United States, for the payment of which, well
and truly to be made, We bind ourselves our
heirs, Executors and Administrators jointly and
severally, by these presents. Witness our hands
And seals this 20th day of June A.D. 1856

The Condition of the above
obligation is such, that whereas the said Carroll
Newby, did on the 13th day of May A.D. Eighteen hundred
and fifty six, in the Circuit Court in and for the County
and State aforesaid, recover a judgment against
the above bounden David Stewart for the sum
of \$143⁵⁵/₁₀₀ debt, \$3⁵⁵/₁₀₀ damages and the costs

Filed June 24 1836
John S. Bogan Clerk

from which said judgment of the said Circuit Court
the said Stewart has paid for and obtained
an Appeal to the Supreme Court of said State -

Now if the said David Stewart
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 shall be
void, otherwise to be and remain in full force
and virtue

David Stewart *sd*
Jacob Garrison *sd*

Taken & approved & entered into
before me at my office in New Haven
this 20th day of June A.D. 1836

John S. Bogan
Clerk Circuit Court

In Witness Whereof I John S.
Bogan Clerk of the Circuit Court
do hereunto set my
hand & seal of Office this 17th
day of November A.D. 1836

John S. Bogan
Clerk Circuit Court
J. S. B.

No 57

Carol Newby

vs

David Stewart

14148

Filed 17th Nov. 1856.

A. Johnston Clerk

Dismissed with
damages of 3 pence
cost bill made out
and on Book