

No. **12113**

Supreme Court of Illinois

Smyth

vs.

Chase.

Proceedings at a Circuit Court begun and held at the
Court-house in the city of Peoria, in and for the County of
Peoria in the State of Illinois, on the second Monday of May
in the year of our Lord 1852, it being the tenth day of
said month. Present the Honorable William Kellogg, Judge
of the Gentl Judicial Circuit in said State, to wit,
Thursday, May 20th A.D. 1852

Henry Chase

vs
Patrick Smyth

appeal from J. P.

This day came the plaintiff by Orslow Peters
his attorney and the defendant by Simeon B. Remondton
his attorney. The defendant moved to dismiss this cause
for want of jurisdiction, on consideration whereof the
Court overruled said motion. The parties waived a trial
and agreed that all matters both of law and
fact in this cause shall be tried by the Court.
The Court having heard the evidence do find that the
Patrick Smyth does owe to the said Henry Chase
the sum of one hundred dollars, thereupon the defendant
made a motion for a new trial herein, and the Court
being fully advised in the premises overruled said motion:
Therefore it is considered that the said Henry Chase
have and recover of the said Patrick Smyth the
sum of one hundred dollars his debt aforesaid, together
with his costs and charges by him about his suit in
this behalf expended, as well in this Court as in the
Court below and that execution issue therefor. The defendant
prayed an appeal to the Supreme Court, which is allowed
on his filing in thirty days in the Clerk's Office of this Court
an appeal bond in the sum of \$200, with James McLaughlin
as surety & conditioned according to law.

And afterwards, to wit, on the eighteenth day of June in the
year last aforesaid, there was filed in said Clerk's Office
an appeal bond in said cause on behalf of said defendant

Which is in the words and figures following, to wit
Know all men by these presents that we Patrick Smith
and James Mc Gough are held and firmly bound unto
Henry Chase in the penal sum of two hundred dollars
lawful money of the United States, for the payment of
which well and truly to be made and done we do bind
~~ourselves our heirs, executors and administrators jointly~~
and severally by these presents - Witness our hands and
seals this day of June 1852 - The condition of the
bond is this Whereas at the May Term of the Pioneers
Circuit Court the said Henry Chase recovered judgment
in said Court against the above bound Patrick
for the sum of one hundred dollar damages
the costs of suit from which said judgment
Patrick Smith has taken an appeal to the
Court of the State of Illinois - Now it
shall duly prosecute his said appeal
said judgment and costs and interest and
in case the said judgment of the said Court
shall be affirmed, then this obligation shall
otherwise in full force - Patrick Smith
James Mc Gough

State of Illinois
Pioneer County

I Jacob Gale clerk of the Circuit Court of
County do hereby certify that the foregoing is a
correct copy of the final judgment, prayer and
allowance of appeal and appeal bond in a certain
cause in said Court of Henry Chase plaintiff
against Patrick Smith defendant as the same
remain of record and on file in my office -
In witness whereof I have set my hand and affix the seal of said
Court at Piona this nineteenth day of July A.D. 1853 -
Jacob Gale, clerk.

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Patrick Smyth
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Transcript.

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Filed July 27th 1853.
L. Leland Clk.
By P. K. Leland Depy.

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